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ABSTRACT

This study was conducted to determine the attitudes toward intellectual freedom and censorship of Catholic Library Association (CLA) Midwest Unit members. Sixty of 77 members responded to a questionnaire based on principles from four American Library Association (ALA) documents on intellectual freedom: original and revised editions of "The Freedom to Read," the "Library Bill of Rights," and the "School Library Bill of Rights." A majority of respondents agreed with the principles: (1) to include in libraries materials on all sides of political, religious, and social controversial issues; and (2) that no material should be removed because of partisan or doctrinal disapproval. Half the respondents preferred the revised statement on censorship of obscene materials in "The Freedom to Read," while 35 per cent chose the original statement. Over two thirds used a special book selection policy. The study concluded that drafting a statement on intellectual freedom will be challenging to the Midwest CLA, and suggested consideration of developing a statement on the problem of violence in media and its effects on society. A bibliography, the ALA documents, sample questionnaire with raw data, and tabulated results are appended. (Author/KP)

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ATTITUDES OF MEMBERS OF THE MIDWEST UNIT OF CATHOLIC LIBRARY ASSOCIATION TOWARD RECENT REVISIONS OF THE DOCUMENTS ON INTELLECTUAL FREEDOM ADOPTED BY THE AMERICAN LIBRARY ASSOCIATION

A RESEARCH PROJECT
PRESENTED TO
DR. MARYLOUISE MEDER
SCHOOL OF LIBRARY SCIENCE, EMPORIA STATE UNIVERSITY

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IN PARTIAL FULFILLMENT
OF THE REQUIREMENTS FOR THE CLASS
RESEARCH IN LIBRARIANSHIP

BY

SISTER MAUREEN KEHOE, SCL.
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Abstract

The purpose of this study was to determine the attitudes of members of the Midwest Unit of Catholic Library Association toward intellectual freedom and censorship. Seventy-seven members received questionnaires based on principles derived from three documents dealing with intellectual freedom issued by the American Library Association. The documents were the original and revised editions of The Freedom to Read the Library Bill of Rights, and the School Library Bill of Rights. A majority of the sixty respondents agreed with the basic principle to include in libraries materials on all sides of controversial issues (political, religious, and social). Likewise most agreed generally and specifically with the principle "No library material should be proscribed or removed from libraries because of partisan or doctrinal disapproval." The members were split in their attitudes toward the original and the revised editions of the section in Freedom to Read in regard to present laws dealing with obscenity. Over two thirds of the respondents evidenced practicing the theory of intellectual freedom by use of a book selection policy (either written, or unwritten, but understood); few said that they had an ongoing book selection committee; and only about one fourth responding had established policies to meet complaints of media by patrons. Finally, 85% agreed that librarians should have some input into policies established by ALA.

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CHAPTER I
Background

The American Library Association (ALA) began to deal with the issue of "intellectual freedom" shortly after it was founded in the late 1800's. Although the Association has never developed an official definition of this term, it has based its constant promotion of this concept--the right to have access to all man's recorded knowledge, including materials on controversial issues--

> "on a strict reading of the First Amendment to the U.S. Constitution, which states that,'Congress shall make no law...abridging freedom of speech or of the press.' Within certain limits, for example laws governing libel and'fighting words,'the position relies on the extension of First Amendment rights, through the Fourteenth Amendment, to all library services governed by public agencies."[1]

To assure intellectual freedom, the American Library Association has published three major documents: Library Bill of Rights (1939).[2] Freedom To Read (1953),[3] and an application of both to schools: School Library Bill of Rights (1955).[4] All three statements have supported the right for writers, publishers and readers to be free from censorship. A need was seen in the late 1960's to update and revise all three documents* to meet changing views in our society. The revised Library Bill of Rights [5] was adopted in 1967 by the American Library Association Council, and the revised School

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*Copies of these documents, original and/or revised are in Appendix A.

Library Bill of Rights[6] was approved by the American Association of School Librarians Board of Directors in 1969. Freedom to Read[7] was approved, as revised, by the ALA Council and its co-sponsor, the Association of American Publishers (AAP), in 1972. As later problems developed, they were dealt with in statements called "Interpretations of the Library Bill of Rights."[8]

Most librarians are interested in the subject of intellectual freedom, because adoption of its principles affects several areas in libraries: selection policies, methods of providing access to materials for patrons of different ages, and practices for dealing with complaints and censorship of materials. As librarians, members of the Catholic Library Association (CLA) are thus interested in this topic and particularly in promoting "discriminating taste in literature and other communication media."[9]

"The object of the organization (CLA) is the promotion of Catholic principles by the improvement of library resources and services through cooperation, publication, education and information."[10] Its membership is open "to all librarians for the purpose of initiating, fostering, and encouraging any activity or library program that will promote literature and libraries not only of a Catholic nature, but also of an ecumenical spirit."[11] Thus, CLA is not limited to Catholics. It promotes the individual growth of members and their professional goals in all types of libraries in which they serve: public, elementary, secondary, academic, parish and special.

CLA is divided into regional units to facilitate area meetings, with the Midwest Unit of the Catholic Library Association consisting of Kansas, western Missouri, and Oklahoma. At the Midwest April, 1975, meeting in Wichita, Kansas, an ad hoc committee was approved to investigate censorship and write a statement on intellectual freedom to be approved by the members of the Unit. In June, 1975, Mr. Don Schubert, who had earlier shown interest in this topic, was appointed chairman of the committee by the Midwest CLA President, Father Michael Mullen. Mr. Tom Muth, a librarian at Topeka Public Library who acts as a clearinghouse person for materials on censorship, was also appointed, as was this author.

The committee felt it should first determine the position of the national organization regarding intellectual freedom and censorship. Through correspondence, the committee contacted the national headquarters of CLA to inquire about its stand on this issue. In their reply, national CLA stated that it had no official policy, but members were encouraged individually to adopt such a principle.[12]

Thus, the topic of intellectual freedom continues to be a vital concern to librarians, including Midwest CLA members. A study mirroring their views of the ALA Documents mentioned would be useful for formulating a policy for the Catholic Library Association. Furthermore, the results of this study would indicate whether or not ALA's Documents have the support of one group of individual librarians in the Midwest.

CHAPTER II

Statement of the Problem

This study will investigate the attitudes of the members of the Midwest Unit of CLA toward certain aspects of the original and the recently revised statements of ALA on Intellectual Freedom: Library Bill of Rights, Freedom to Read, and The School Library Bill of Rights.

Four main questions will be surveyed in this study.

First Question

The first question is: What are Midwest members' attitudes toward the original and revised ALA Documents relating to user's right of access to media on all sides of an issue? As early as 1939, ALA saw the need to provide materials on controversial issues. In that year, it published its first edition of Library Bill of Rights, which, in Article 2, stated:

> As far as available material permits, all sides of questions on which differences of opinion exist should be represented fairly and adequately in the books and other reading matter purchased for public use. [13]

In 1953, ALA confirmed its position on this topic in its original edition of Freedom to Read. This statement provided for the availability of "the widest diversity of views and expressions, including those which are unorthodox or unpopular with the majority."[14] On the school level, in 1955, ALA adopted The School Library Bill of Rights; one of its six points stressed openness to various viewpoints: "To provide materials on opposing sides of controversial issues so young citizens may develop under guidance the practice of critical reading and thinking."[15] When these three ALA Documents were revised in the late 1960's, no essential changes were made in regard to this theme.

Such an open policy is important because without it, library collections could be imbalanced by being subject to the tactics of pressure groups to exclude, delete, or change those materials which differed from their points of view. By including the various viewpoints on controversial issues citizens could familiarize themselves with them, and thus come to their own conclusions intelligently.

Second Question

The second question to be pursued is: What are Midwest CLA members' attitudes toward ALA's own interpretation of their original and revised Documents regarding the inclusion and exclusion of ethnic contents in library media? After the recent revisions of The Library Bill of Rights and the School Library Bill of Rights, the Intellectual Freedom Committee of ALA had to deal with increasing complaints by ethnic groups of what they considered stereotypes of themselves in past literature which they wanted excluded from libraries.[16] So at their conference in 1971, this Committee decided to write several statements called "Interpretations of the 'Library Bill of Rights'" addressing this and other problems. The purpose was not to be continuously revising, and thus, they felt, weakening the original ALA Documents on Intellectual Freedom.[17] The Interpretation considered here is entitled: "Sexism, Racism, and Other-isms in Library Materials." It addresses itself to the many cries to remove from libraries certain books, often children's books, such as Little Black Sambo, Sylvester and the Magic Pebble, and others. It quotes Article 2 of the revised Library Bill of Rights: "...no library materials should be proscribed or removed from libraries because of partisan or doctrinal disapproval."[18] The effect of this Interpretation was to support the retention of those materials considered worthwhile, even though they may contain some sterotypes.

Third Question

The third question to be considered is: *What are Midwest Unit CLA members' attitudes toward the original and revised ALA Freedom to Read document regarding censorship of obscene materials*? The original statement is as follows:

> The present laws dealing with obscenity should be vigorously enforced. Beyond that, there is no place in our society for extra-legal efforts to coerce the taste of others, to confine adults to the reading matter deemed suitable for adolescents, or to inhibit the efforts of writers to achieve artistic expression.[19] *Freedom To Read*. Proposition 4.

This revised 1972 statement seems to imply that controls on print have no place in our society, that everyone should be able to do as he pleases ("no place in our society for efforts to coerce the taste of others"). To apply this theory wholesale would mean in practice that there would be no laws governing our society. Yet the existence of such laws on the local, state, and national levels speaks for the belief that controls are necessary. With rights, come limiting responsibilities.

In their article, "Communication Controls and Censorship," Patrick Williams, a librarian, and Joan T. Pearce, an information science consultant, discuss the controls needed for effective communication in the social institutions which comprise a society.

The society enables its members to cooperate to achieve common goals, but their "cooperation depends on communication ..., and many types of communication controls regulate the information processes which enable institutions to function effectively in concert."[21] They mention four types of controls: Those which 1) "provide for the division of communication labor among institutions..., 2) enable institutions to function with efficiency and order..., 3) intend to coordinate public and private interest for the benefit of society as a whole..., and 4) intend to provide for standards of quality where such standards are considered essential to the attainment of institutional objectives."[22]

These two authors then define censorship in terms of their understanding of communication controls:

> Censorship consists in the imposition of communication controls which damage or destroy the capacity of an institution to fulfill its social objectives.[23]

They go on to point out, however, the need to distinguish between controls which benefit man by enabling the social institution to carry out its objectives from those controls which damage or destroy the institution. One example they give to demonstrate this are the libel laws. They are controls on the press to protect "individuals and institutions from malicious and mendacious journalism,"[24] but they in no way damage or destroy the objectives of the press to inform citizens about important public matters.

The ALA seems to understand the need to protect individuals by libel laws (see ALA's "Statement on Labeling"),[25] yet they seem closed to the viewpoint of others,[26] that controls are needed to protect the moral atmosphere of our society (e.g. laws which control obscenity).

Fourth Question

The fourth question to be investigated is: "Are librarians practicing the theory of intellectual freedom? The theory of intellectual freedom is all talk unless it is applied both in acquiring materials and in distributing them. One practical method for incorporating the concept of intellectual freedom is a written book selection policy. 1)This policy will define the purpose of the library, 2) will set down in writing some general principles for development of its program, 3) state some guidelines for the selection of materials and equipment, and 4) usually determine the procedures to follow when materials are challenged. Furthermore, the book selection policy will be more realistic if composed by people from various backgrounds, such as an administrator, a librarian, other adults, and youth.

Formation of an ongoing committee to assist in book selection is another practical method to provide intellectual freedom in building the collection of media. Such a committee has the advantage of a broader vision than is possible in just one person, and will enable the selection to be above the personal prejudice and/or opinion of one librarian.

An important practical aspect for the controversial issue of intellectual freedom is to provide some means for patrons who challenge materials to present their objections in writing. This complaint form will gently force the patron to evaluate the negative and positive aspects of the questioned material, and perhaps ask the patron if he or she had read the whole book, etc.. Suggestions for other media on the same subject might be requested from the patron also. A review of the objections and of the book will probably be the established policy before a final group decision is made for retaining or removing the book.[27]

Summary

Thus, this research will study the attitudes of Midwest CLA members toward certain original and revised sections of the three major ALA Documents on Intellectual Freedom. The provision for patron's usage of materials on all sides of an issue, the inclusion of ethnic stereotyping in otherwise, worthwhile media, the question of control of obscene materials, and the practical application of incorporating the theory of intellectual freedom into practices in libraries are the main areas of focus for this investigation.

CHAPTER III

Definitions and Assumption

A. Definitions of Terms

Attitude - According to Webster's New Collegiate Dictionary, an attitude is one's "position or bearing as indicating action, feeling, or mood; as keep a firm attitude; hence the feeling or mood itself; as, a kindly attitude."[28] In the questionnaire, the attitude of the respondent will be sought in regard to the revisions of the three ALA's Documents on intellectual freedom.

Censorship-According to Webster's New Collegiate Dictionary, censorship is 1) the action of "one who acts as an overseer of morals and conduct; especially a) by an official empowered to examine written or printed matter, motion pictures, etc., in order to forbid publication if objectionable; (eg., sexually explicit matter, or media politically dangerous to the nation).[29]

Intellectual Freedom - taken from the two words found in the Dictionary used above:

"freedom" - "possession of the rights or privileges of a citizen;" also, "unrestricted use."[30]

"intellectual" - describes the intellect, the power or faculty of knowing, as distinguished from the power to feel and the power of reasoning, judging, comprehending, etc., having to do with understanding.[31]

Together the two words combine to create a single concept: "intellectual freedom", which in library science refers to the right or privilege of every citizen, every person, to have access to all the media available to enable him to use the powers of judging, comprehending, reasoning to come to his own decision on a topic, especially on a controversial topic.

Obscenity- The definition was set down by the Supreme Court in 1957 in the Roth case against the United States. Justice Brennan, at 1L. Ed 1505, spoke for the Majority: The standard of obscenity is this test: "When to the average person, applying contemporary community standards, the dominant theme of the material taken as a whole appeals to the prurient interest.[32] A little later, he referred to a footnote for the definition of "prurient interest", developed by the American Law Institute Model Penal Code; 'thing is obscene if, considered as a whole, its predominant appeal is to prurient interest, a shameful or morbid interest in nudity, sex, or excretion and if it goes substantially beyond customary limits of candor in description or representation of such matters..."[33]

The standard test for obscenity was revised in the Miller V. California case in 1973 when the Supreme Court added two new provisions to the Roth test. They are:

"b) 'whether the work depicts or describes in a patently offensive way, sexual conduct specifically defined by the applicable state law (examples were given later by the court, and will be referred to in the Review of the Literature section of this paper).., and

c) whether the work, taken as a whole, lacks serious literary, artistic, political or scientific value."[34]

Pornography - This term is not used in this study, since it was not used in the study done by the U.S. Commission on Obscenity and Pornography, a basic resource for this research. As that Commission explained, the word "obscenity," has legal connotations for prohibited sexual material. In their explanation, the word, pornography, has no legal implications and is more a subjective disapproval of some kinds of materials, which they referred to as "explicit sexual materials," "sexually orientated materials," or "erotica." These materials included printed, audio, visual media and sex devices. However, it did not include "live" sex shows, or improper sexual behavior, since these were usually governed by local ordinances.[35]

B. Assumption - Media affect people.

a. Good media with high quality of content and design appeal to a person's aspirations and ideals; such can encourage a person to be his/her best self.

b. The opposite effect is true for bad or obscene media. Since such appeal only to the lustful interests of a person, they can harm that person's way of thinking, so that he no longer sees the dignity of the whole person, but instead often tries to imitate the bad or immoral behavior described therein.

c. If reading did not affect people there would be no need for the statements by librarians on censorship, etc..

CHAPTER IV

Review of the Literature

A. Introduction

Most of the literature will reflect the controversy that surrounds censorship and intellectual freedom. On the one side, there are those who stress that the First Amendment, protecting freedom of speech and of the press, is absolute. On the other hand, some claim that such protection applies only to media beneficial to society. The difficulty arises in trying to draw the line between the two. Henry Steele Commager attempts to draw that line in his book, Freedom, Loyalty, Dissent. He says:

> Now it will be granted at once that our traditional liberties are not absolute--not in a mathematical sense, anyway. All of them are qualified by the rights of society, or of the state. There are limits on liberty, as there are limits on authority. The broad principle of those limits is generally recognized and accepted; no liberties may be exercised so as to injure others, or injure the community.[36]

B. Guidelines for Librarians

Librarians, too, have difficulty in drawing that line. They have been given some guidelines in these three documents promoted by ALA: Library Bill of Rights, Freedom to Read, and the School Library Bill of Rights. They encourage the practice of intellectual freedom, a state of openness of mind in the consideration of controversial issues. A summary of each will follow.

Library Bill of Rights

The Library Bill of Rights was developed by ALA in 1939 and officially adopted in 1948. Just as the Bill of Rights to the United States Constitution presents numbered sections outlining the freedoms and rights of all Americans, so does the Library Bill of Rights set forth in writing "basic policies which should govern the services of all libraries."[37] They are as follows: 1) books are to be chosen for their value and not omitted because of race nor for the writer's political or religious views; 2) books presenting all sides of controversial issues should be provided, and authoritative books should not be permitted to be removed at the insistence of a partisan group; 3) censorship of books by persons or organizations who consider themselves the arbiters of morals must not be accepted; 4) libraries must work closely with other educators and publishers to secure the full freedom of expression of ideas guaranteed to Americans; and 5) the library should be available for meetings for any interested groups regardless of their beliefs. In 1961, the words "and other library materials" amended the original to include audio-visual and other library media besides reading matter. When the Library Bill of Rights was amended again in 1967, superfluous words in sections 3 and 4 were deleted, a new norm was added (no one should be denied the right to use the library "because of his age, race, religion, national origins or social or political views"[38]) and the right for groups to use the library were limited by a provision that they be open meetings to which the public were welcome. Further additions to the Library Bill of Rights will be reviewed later.

Freedom to Read

In 1953, a conference on the freedom to read was held by librarians and publishers to consider their role and to affirm their own policies regarding pressures by groups to limit the freedom of expression of ideas, facts, and human experience. The conference also considered "where lines should be drawn between permissible expression and impermissible expression, and who is to draw the lines;"[39] and how to determine the public interest and seek ways to assert it. "Debate at the conference focused on the specific problem areas of obscenity and pornography and disloyalty and subversive materials."[40] A committee drafted The Freedom to Read statement, which was approved by the Council of the American Library Association and by the Board of Directors of the American Book Publishers Council in June, 1953. Ideas contained in this lengthy document will follow:

> A) The freedom to read is essential to our democracy. It is under attack. Private groups and public authorities in various parts of the country are working to remove books from sale, to censor textbooks, to label 'controversial' books, to distribute lists of 'objectionable' books of authors, and to purge libraries.[41]

B) The origin of such viewpoints can be traced to the opinion of some that free expression is no longer valid in our society; publishers and librarians, should strive to preserve the freedom to read.

C) Suppression denies the democratic premise "that the ordinary citizen, by exercising his critical judgment, will accept the good and reject the bad."[42] Censors consider it their responsibility to tell others what is good and what is bad: Americans can be trusted to recognize propaganda, and to reject obscenity . . . . "[43]

D) Other media, besides the book, experience efforts of suppression, which, in turn, causes a fear for expressing controversial ideas. During a time of social tension, controversial ideas can then become the victims of suppression. Furthermore, during times of stress, suppression is even more dangerous, for freedom of ideas stimulates new creative solutions ,which will enable the country to deal with strain.

E) Books, as instruments of freedom, present new ideas which can result in social growth; they record past knowledge and ideas necessary for in-depth discussion. Free communication is necessary to preserve a free society and a culture that is creative. Conformity limits inquiry and expression. To have the freedom to read from a variety of sources, librarians and publishers must make such available.

F) The freedom to read is established in the United States Constitution. Faith in free men will enable one to uphold the rights and responsibilities set therein.

G) Consequently, ALA affirms seven propositions:

1) A diversity of ideas, even those unorthodox and ones unpopular with the majority, should be made available by publishers and librarians, for new views can be creative, as well as rebellious, until proven true. Totalitarian systems suppress opposing viewpoints. The democratic mind will be strengthened by pondering and selecting from diverse ideas; one can then know, not only what one believes, but also why.

2) All ideas in books provided by librarians and publishers are not necessarily approved by them; restriction of selection of media to that in agreement with one's own philosophies would result in a form of censorship.

3) An author's personal history or political affiliation should not be the sole basis for judging the acceptability of a book.

4) "The present laws dealing with obscenity should be vigorously enforced. Beyond that, there is no place in our society for extra legal efforts to coerce the taste of others, to confine adults to the reading matter deemed suitable for adolescents, or to inhibit the efforts of writers to achieve artistic expression."[44] Much modern literature is seen as shocking, but so are parts of life. It is the responsibility of parents and teachers to help the young think critically for themselves, Each book or publication is entitled to due process of the law.

5) Labeling books or authors as subversive or dangerous does not permit Americans to do their own thinking in regard to them.

6) Publishers and librarians are considered the "guardians of the people's freedom to read."[45] As such, they must contest any efforts by individuals or groups to force their own thinking on other individuals or groups.

7) Publishers and librarians need to provide quality books that enrich thought and expression; these will offset bad books and "give full meaning to the freedom to read."[46]

H) These propositions state ALA belief in the value of books. Ideas are important and can be dangerous, but suppression of them is fatal to our democracy. "Freedom itself is a dangerous way of life, but it is ours." [47]

In the Fall of 1968, the IFC (Intellectual Freedom Committee) considered revising, or even rewriting, all of The Freedom to Read statement to break its close ties with the McCarthy era: it would then address itself to the violent 1960's, which had resulted 1) in more demands for law and order, 2) in pressure on persons in mass media to divulge sources of information, and 3) in accusations of biased reporting. [48] The sixth draft of a new version failed to meet the approval of the staff of the IFC in 1970, so they decided to revise the original one, The Freedom to Read. They also considered the fact that the original statement was, for the most part, still valid; only a few changes would be necessary to update it. One change was the elimination of "vigorous enforcement of obscenity laws...." in Proposition 4 and the reference to "immature, the retarded, and the maladjusted taste." [49] Some sections, which specified books, were broadened to include all media in libraries today. The revised edition of The Freedom to Read was endorsed by ALA and AAP (American Association of Publishers) in 1972 and subsequently by many other professional organizations. [50]

School Library Bill of Rights

The third major document on intellectual freedom published by the ALA was the School Library Bill of Rights. Principles incorporated in the other two documents were adapted to school libraries to generate understanding and preservation of American freedoms by assisting in the "development of informed and responsible citizens."[51] It was first accepted by the American Association of School Librarians in 1955 and confirmed by the ALA Council that same year.

The contents of this document reveal that school libraries have duties in the six areas listed below:

a) provision of media which enrich and support the curriculum and consider the various levels of interests, abilities, and maturity of pupils served;

b) provision of factual, literary, aesthetic, and ethical materials for growth in those areas;

c) provision of background information for intelligent daily decisions;

d) provision of materials on controversial issues along with guidance for critical reading and thinking;

e) provision of religious, ethnic, and cultural materials including the contributions of these groups to American life; and

f) use of principles and reason, not personal opinion and prejudice, in the selection of quality materials appropriate for school library patrons.

In the late 1960's, the 1955 statement was slightly revised to incorporate changes in the already revised Library Bill of Rights. These changes in School Library Bill of Rights were as follows:

a) the conversion of the word, library, to "library media center;"

b) the addition of a provision for a basic collection of instructional materials, selected according to selection principles, and access to the same; this became the first norm;

c) the addition of the word, "socio-economic," to a list of areas considered when providing materials to support the curriculum;

d) the combination of the fourth and fifth norms of the 1955 edition;

e) the provision for a written policy to meet challenged materials, subject to the approval of the local board of education; and

f) the addition of the norm that library personnel with professional training be provided to serve the faculty and students.

This revised edition, entitled School Library Bill of Rights for School Library Media Center Programs, was approved in 1969 by the American Association of School Librarians Board of Directors.[52]

Interpretations of the Library Bill of Rights

It was mentioned earlier that other additions to the Library Bill of Rights would be discussed later. In 1971 when the Intellectual Freedom Committee evaluated some censorship cases at their annual conference in Dallas, they realized that the Library Bill of Rights needed some interpretations to make it applicable to specific cases. . They did not want to be constantly revising the main document, feeling that such would weaken its effectiveness. Their solution was to write "Interpretations of the Library Bill of Rights."[53] Several documents had already existed but were later called "Interpretations," and others have been developed as the need has arisen. Since the title of each is fairly descriptive of the contents, it will suffice to list the Titles of the documents designated as "Interpretations.": Free Access to Libraries for Minors (1972);[54] Statement on Labeling (1951, amended 1971);[55] Expurgation of Library

Materials (1973);[56] Sexism, Racism, and Other -isms in Library Materials (1973);[57] Reevaluating Library Collections (1973);[58] How Libraries Can Resist Censorship (1962, rev. 1972);[59] Resolution on Challenged Materials (1971);[60] Restricted Access to Library Materials (1973);[61] and Intellectual Freedom Statement (1971).[62] All these "Interpretations" were approved by the ALA Council in the years marked within the parentheses.

C. Intellectual Freedom vs. Censorship of Harmful Media

Some would argue, however that in their enthusiasm to promote openness to all ideas, ALA failed to consider those materials which would harm the good of the community, e.g., materials advocating a) overthrow of the government, b) anarchy, and/or c) obscenity. In regard to the danger of anarchy, George P. Elliott reflected upon it in his book review of Tropic of Cancer in Harper's Magazine. He said the book by Henry Miller

> does have an unmistakable message: society is intrinsically vile, let us return to the natural man. In effect, this return to nature means as little work as possible and lots of loveless sex... He is what he says he is: an enemy... of society as such. To do what he can to get his readers also to become enemies of society, he assaults with persuasive force taboos, especially sexual taboos, which are intrinsic to social order.[63]

He concluded that the book should be banned, not necessarily for its heavy use of pornography--because he does use it to achieve his aim of downgrading the order in society--but for its militant effort to persuade others to destroy the social order.[64]

Obscenity-protected by the First Amendment?

In regard to obscenity, there is quite a controversy as to whether or not it has the protection of speech and the press established in the First Amendment of the United States. On the one side, there are those who believe it has no such protection, such as the U.S. Congress which has passed twenty laws from 1842 to 1956 prohibiting obscenity.[65] Reviewing these laws, Ralph L. Lowenstein, a publications editor at a Freedom of Information Center at the University of Missouri in 1965, said that three laws, in particular, have affected our country's stand on obscenity. The first, passed in 1842, was a Customs Law that prohibited importing indecent and obscene prints and other media. The next was passed in 1865 when Congress decided to ban mailing obscene matter by making it a criminal offense. The third was the famous "Comstock Law," passed in 1873, which charged a heavy fine, up to $5000, and/or five years' imprisonment for a first offense to any person caught mailing obscene books, pictures or other indecent publications.[66]

Major decisions by the Supreme Court of the United States have further developed the controversy. The main historic case, cited by most sources on this topic, was the 1957 decision on Roth v. United States. Roth was accused of violating a Federal obscenity statute, but he argued that obscenity was free speech protected by the First Amendment. However, Justice William J. Brennan, Jr., spokesman for the majority opinion of the Supreme Court in this case, quoted ten prior Supreme Court cases which assumed that obscenity was not protected by the First Amendment.

He said at 1 L.Ed. 2d 1505:

> 'The dispositive question is whether obscenity is utterance within the area of protected free speech and the press....It is apparent that the unconditional phrasing of the First Amendment was not intended to protect every utterance...'.[67]

He went on to mention that all ideas, even controversial and unpopular ones, which have a slight social importance are included under the guarantee of the First Amendment, unless "they encroach upon the limited area of more important interests."[68] He continued, "Implicit in the history of the First Amendment is the rejection of obscenity as utterly without redeeming social importance. This rejection for that reason is mirrored in the universal judgment that obscenity should be restrained"[69] as is seen in governments of over 50 nations, of most of the states, and in the laws of our U.S. Congress. Justice Brennan then quoted part of the Supreme Court's ruling for Chaplinsky v. New Hampshire:

> "...It has been well observed that such utterances are no essential part of any exposition of ideas, and are of such slight social value as a step to truth that any benefit that may be derived from them is clearly outweighed by the social interest in order and morality."[70]

Thus, the Court determined that materials with ideas of social importance were guaranteed the protection of speech and the press, but obscenity by its very nature was utterly without social importance because any worth in it was so slight in the search for truth, that it was overbalanced by the more important issue of order and morality in society.

Not all of the Justices agreed with the above decision. Justice William O. Douglas, together with Justice Hugo Black, wrote the dissent. In favor of putting obscenity under the protection of the First Amendment,

Justice Douglas wrote:

> 'I would give the broadsweep of the First Amendment full support. I have the same confidence in the ability of our people to reject noxious literature as I have in their capacity to sort out the true from the false in theology, economics, politics, or any other field.'[71]

Another group of people, the American Civil Liberties Union, thought that all published material should be protected by the First Amendment unless it demonstrated a "clear and present danger" cause of antisocial actions. This was their approach in October, 1965, when they were supporting Ginzburg's appeal to the Supreme Court, after he had been judged guilty for issuing three obscene publications via mail.[72] The phrase, "clear and present danger," when first used by Justice Oliver Wendell Holmes in 1919, was to protect free speech and writing: he asked, "Is there a clear and present danger that a particular writing or speech will result in the evil aimed at?'[73] In this case, it would ask, "Is there a clear and present danger that obscenity will result in antisocial behavior?" However, the Supreme Court declared in the Roth case that this test was unnecessary, since obscenity itself was not within the protection of the First Amendment.[74]

Definition of Obscenity - Source of Conflict

One basic problem in this controversy has been the definition of obscenity. The Supreme Court case, Roth v. U.S., also became historic for its new definition of the term, obscenity. Prior to this time (1957), the test to label an item obscene had been the same as that adopted by England in 1868 when Lord Chief Justice Cockburn had established the "Hicklin Rules":

> '...the test of obscenity is this, whether the tendency of the matter charged as obscenity is to deprave and corrupt those whose minds are open to such immoral influences and into whose hands a publication of this sort may fall.'[75]

It had been adopted by the United States that same year. Almost 90 years later, in 1957, in Roth v. U.S., Justice Brennan wrote in the majority opinion:

> 'Sex and obscenity are not synonymous. Obscene material is material which deals with sex in a manner appealing to prurient interest.'[76]

Prurient interest, defined in a footnote to his statement, was "material having a tendency to excite lustful thoughts..." Then he added:

> ...'We perceive no significant difference between the meaning of obscenity developed in the case law and the definition of the American Law Institute Model Penal Code---viz. "a thing is obscene if, considered as a whole, its predominant appeal is to prurient interest, a shameful or morbid interest in nudity, sex, or excretion and if it goes substantially beyond customary limits of candor in description or representation of such matters ..." '[77]

Subsequently, an item would be judged as obscene, or not obscene, by the whole work (not by parts) and by its predominant appeal.

Review of National Study

Conflicting views of the definition of obscenity will surface in the next source to be reviewed on the problem. Entitled, The Report of the Commission on Obscenity and Pornography, it was published in September, 1970. It reported the findings of this Commission, which was established in October, 1967, as Public Law 90-100, when Congress was greatly concerned about the traffic in obscenity and pornography.

Eighteen members were appointed to this advisory Commission; their duties were basically fourfold:

1. to analyze laws controlling obscenity and pornography, and to state recommended definitions of obscenity and pornography;
2. to study methods of distribution and volume of obscene traffic;
3. "to study the effect of obscenity and pornography upon the public, and particularly minors, and its relationship to crime and other antisocial behavior;"[78] and
4. to suggest ways obscene traffic could be controlled without infringing upon constitutional rights.[79]

A chairman and vice chairman were self appointed. Four working panels were organized around the four tasks given the Commission: 1) legal, 2) traffic and distribution, 3) effects, and 4) positive approaches. Hearings and consultations with federal, state, and local governments, and with agencies and attorneys general were authorized. Scientific data could be obtained from the results of researchers contracted by this Commission to do research. They were to report their findings and recommendations to Congress no later than January 31, 1970. An extension of time was later secured for more valid research.

The Report of the Commission consisted of four divisions: Part One gave an overview of the findings for each of the four topics assigned; Part Two included non-legislative and legislative recommendations of the Commission and drafts of proposed legislation; Part Three contained the reports of the four different panels; and Part Four consisted of eight separate Statements of Commission members clarifying and/or dissenting from the Major viewpoints expressed in Parts One, Two, and Three.

The Majority Report

Part One, Section I, dealt with the volume of traffic, and patterns of distribution, of sexually oriented materials, first with the Media Industries and then with the Consumers. They had two general findings. First, the huge amounts quoted in popular journals that estimate the "smut" business between $500 million and $2.5 billion per year are usually without data to support that claim; the Commission found that $2.5 billion sales grossly exaggerated the actuality. Adding up the figures presented, I came to an estimated total of $964.8 million for motion picture films, books, and periodicals.[80] Five methods of distribution were studied: public exhibition, private exhibition, sales in retail stores, individual sales, and United States Mail. However, their second general result was that organized crime was not involved in the pornography business, saying, "at present, there is insufficient data to warrant any conclusions in this regard."[81] In regard to consumers, they found that "most exposure to erotica occurs outside the commercial context and is a social or quasi-social activity."[82] Since only about a third of those exposed to erotic materials actually purchased them, two or more consumers used the same item. Young people, too, experienced exposure to erotic materials more as a social activity among peers, rather than as a sexual happening. Patrons of Adult Bookstores and Adult Movie Theatres appeared to be middle aged married males from a middle class background. They had, "in addition to pictorial and textual erotica, a variety of sexual partners and sexual activities within a consensual framework."[83] However, they had little interest in abnormal sexual activities, such as sadomasochism.

Section II of Part One reported the effects of sexual materials, and conditions for their occurrences: sexual arousal, emotions, attitudes, overt sexual behavior, moral character, and criminal and anti-social behavior. One of the major studies of the Commission, a national survey, was used to help determine the effects. This survey of 2,486 adults and 769 youths, ages 15-20, was done by the Response Analysis Corporation of Princeton, New Jersey, and the Institute of Survey Research of Temple University, in Philadelphia, Pennsylvania. Other data for this section were gathered by means of quasi-experiments, controlled experiments and studies of records of sex offenses and national crime rates.

General results cf the above studies showed diverse opinions on the effects of sexual materials, ranging from providing information on sex and entertainment to leading to moral breakdown and loss of respect for women and rape. Some felt that one effect was better communication and improved sexual relations for married couples. Surveys of professional persons, including psychiatrists, psychologists, sex educators, social workers, counselors, etc., "reveal that large groups believe sexual materials do not have harmful effects on either adults or adolescents."[84] However, 58% of police leaders surveyed felt that "'obscene' books played a significant role in causing juvenile delinquency."[85]

Particular results of Section II included the following: 1) women were aroused as much as men by erotic stimuli; 2) it was possible to be satiated by repeated exposure (15 days) to such stimuli, but novel sex and a time lapse both caused a slight arousal; 3) "in general, established patterns of sexual behavior (such as masturbation and coital behavior) were found to be very stable and not altered substantially by exposure to erotica,"[86] and when increases occurred following such exposure it followed preexisting sexual behavior patterns; 4) no significant changes in attitudes took place in persons who were exposed to erotic stimuli; 5) multiple emotional responses, such as attraction and repulsion, were experienced by those unfamiliar with erotic materials, but such mixed emotions to unknown stimuli seemed normal; 6) "persons who are older, less educated, religiously active, less experienced with erotic materials, or feel sexually guilty are most likely to judge a given erotic stimulus 'obscene';"[87] 7) increase of arrests for sex crimes (e.g., forcible rape) have increased slightly for adults and decreased for adolescents during the time when erotic materials have been more available in the U.S.; 8) sex offenders seemed to have less experience with erotica during their adolescence than other adults; and 9)

> in sum, empirical research designed to clarify the question has found no evidence to date that exposure to explicit sexual materials plays a significant role in the causation of delinquent or criminal behavior among youth or adults.* The Commission cannot conclude that exposure to erotic materials is a factor in the causation of sex crime or sex delinquency.[88]

In Section III of Part One, the positive approaches of sex education, industry self regulation, and citizens' action groups were explored. In regard to sex education, peers were still the main source of information and minor sources were parents, churches, and physicians. Schools were developing sex education programs in cooperation with parents and churches to provide correct information about sex, to satisfy young people's natural curiosity about sex, and to develop healthy attitudes and positive values within individuals toward their concept of sexuality. Such programs "would appear to be potentially powerful in reducing this interest (in erotica) and thereby decrease the possibility of exposure to misinformation or information outside the proper context."[89] Also, "Medical Schools are now beginning to include courses in normal human sexuality in their curriculum;"[90] only about half of the medical schools do it now, and usually as an elective.

Voluntary self-regulation by mass communication media aimed at, not only protecting the consumer, but also limiting external control and censorship. A voluntary code has been the usual means adopted to accomplish these goals, one being "to protect children and adolescents 'from possible harmful effects of exposure' to"[91] adult themes and depictions of such. For their voluntary codes, the Comic Book Industry has the Comic Magazine Association, Radio and Television have The National Association of Broadcasters, and Motion Pictures have a new code which began in November, 1968. The ten percent of the comic industry which does not belong to the Association, the dependence on the commerical system for radio and television, and the lack of both clear ratings placed on movie ads in newspapers and enforcement of age limit (s) designated in the motion picture code are the main problems with the voluntary codes. Otherwise, they seem to be having some effect on regulating the products of each industry.

Organized citizen groups can be an effective means of curtailing the distribution of erotica when "they genuinely reflect the opinion of the community and if they pursue specific, positive, well-defined, constructive goals"[92] which are not too repressive to permit legitimate materials to circulate. Such groups are more active in large cities where the problem of controlling obscene materials is greater and where voluntary and informal sanctions are weak. About one fourth of the prosecuting attorneys contacted felt that such citizen groups were very representative of their communities, a little over 50% of the attorneys said such groups were fairly representative in their places, and 20% reported that they were not representative of their areas.

Section IV of Part One covered briefly the results of the law and law enforcement studies. These were picked up again in Part Two, The Recommendations of the Commission and also in Part Three, The Reports of the Panels under Section IV: Legal Considerations Relating to Erotica. This topic was treated in all three areas because Public Law 90-100 had given the Commission the task of analyzing and evaluating present laws and then making recommendations for future control of obscene materials. State and municipal investigators had assisted the panel members in their investigations of existing laws and enforcement of the same.

The Commission considered regulation of explicit sexual materials by four types of suggested legislation. The first would prohibit their distribution and dissemination, including through commercial channels, to consenting adults. The second would prohibit undesired distribution, for example, use of public displays and unsolicited mailings, since both would possibly offend those not wanting to be exposed to such. The third would prohibit direct dissemination of such materials to youth. Finally, the fourth would prohibit "pandering" in the distribution of such materials.[93]

The Commission, however, disagreed with the first suggestion. It stated that a "majority (almost 60%)[94] of American adults believe that adults should be allowed to read or see any explicit sexual materials they want to."[95] Similarly they wrote "It appears that well over half of adult Americans believe that these materials have effects which are socially useful."[96] Again they wrote "changing public opinion...appears to tolerate...and even find value in...the dissemination of 'obscene' materials to consenting adults...."[97] To "provide information about sex, improve sex relations of some married couples, and provide entertainment"[98] were among the "values" indicated. The Commission felt that legislative regulations of explicit sexual materials for consenting adults would be justified if it could be proven that such materials were in fact harmful to adults or encouraged clearly antisocial behavior, but they stated that no such conclusive evidence was found. In conclusion on this area, the Commission said, ". . .there could, in all events, appear to be no legal or constitutional basis for recommending the expansion of present controls upon material which may be available to consenting adults."[99]

In regard to the second suggestion, forbidding distribution to unwilling persons, the panel members said that results from their own research, The Commission's National Survey, and from other research upheld the decision of the Rowan vs. Post Office Department. In that case, they prohibited mailers from sending materials to persons unwilling to receive them, which was consistent with the ruling that The First Amendment's freedom of speech would not extend "communication to unwilling recipients."[100] The panel gave special consideration to regulating public displays of explicit sexual materials, particularly those most explicit, since they would not be included with legitimate advertising nor with works of artistic value.

The Commission favored the third suggestion, enactment of specific legislation for restricting distribution of explicit sexual materials to youth, as long as such restrictions did not extend to regulate materials for adults. Also, it approved restrictions for youth, but for "only pictorial (media) . . . in view of the difficulty of formulating a definition of verbal materials to be included"[101] and in their view, also, of the somewhat doubtful empirical basis for juvenile legislation.

The same group supported the fourth suggestion to forbid "pandering." In close cases, the Commission agreed with the Supreme Court decision, Ginzburg v. United States [383 U.S. 463 (1966)], which "upheld that evidence of 'pandering' in the distribution of materials might in close cases, be deemed relevant in determining the applicability of the Roth standard to distributional conduct."[102] The Commission then considered three issues related to enforcement of laws against pandering, 1) scienter (foreknowledge of contents), 2) seizures by law officers, and 3) appellate jurisdiction over obscenity. In regard to the first, the Commission did not favor the use of the label outside "explicit sexual materials", in order to inform, and thus protect, mail carriers of contents. As for the second, seizures by law officers presented the problem of seizing such an object, especially a film, before it had been legally judged 'obscene.' Thus, the Commission suggested that future legislation request distributors to provide one copy of the film on trial for judicial hearings while permitting the other copies to circulate until it could be ruled obscene, although the Commission itself did not favor restricting such materials for adults. Finally, the Commission recommended "against legislation withdrawing appellate jurisdiction over obscenity cases."[103]

Part Four of the Commission's Report consisted of eight separate statements by Commission members; some agreed with the Majority Report while others presented opposing viewpoints. Two members of the Commission, Otto N. Larsen and Marvin E. Wolfgang, in a combined statement called for the repeal of all statutes on obscenity or on pornography, but did not advocate anarchy, believing that informal social controls would do the job. Another person, Joseph T. Klapper, supported the main choices of The Majority Report: 1) Adults have the right to read whatever is their choice, 2) public display and unsolicited mail should be restricted, as should reading for young persons, and 3) sex education should be provided for youth. Two others, Morris A. Lipton and Edward D. Greenwood, in a combined report, agreed with the last three proposals. G. William Jones favored restriction of reading materials for young persons, if obscene materials could be proven harmful. Four members, Irving Lehrman, Charles H. Keating, Jr., Morton A. Hill, and Winfrey C. Link in different statements stressed that the research done by the Commission was not conclusive, and therefore they wanted no change in present laws restricting obscenity. Finally, in a combined report, Hill and Link presented their opposition to much of the Majority Report. "The Hill-Link Minority Report of the Presidential Commission on Obscenity and Pornography," will be reviewed next to further demonstrate the controversy that exists on this topic.

The Minority Report

Two members of the Commission appointed by the President disagreed completely with the majority conclusion. They were Father Morton A Hill, a Jesuit, and Dr. Winfrey C. Link, also a clergyman. Together they wrote: The Hill-Link Minority Report of the Presidential Commission on Obscenity and Pornography. After presenting their position, in an overview, they documented material on the following areas of their report: 1) The History of the Creation of the Commission, 2) Its Operation, 3) A Critique of its Behavioral Research, 4) Legal "Findings" of the Commission, 5) Conclusions, and 6) Recommendations. This study will review most sections of their report.

In the "Overview" of their Report, they pointed out that the American People have paid, through taxes, two million dollars for shoddy research because the Commission was created and financed by Congress. They felt that the main conclusion of the Majority Report (no harm is done by pornography) was based on evidence that was scanty and on research results that were manipulated to point out the authors' own viewpoint, e.g. deleting important findings (more on this later) and twisting previous Supreme Court rulings to provide their own definition of "obscenity". Seeing the fraudulent research reports and loose recommendations, Dr. Link and Fr. Hill tried to get the Commission to hold open public hearings (one of the assigned tasks of the Commission); the Majority refused to do so; consequently, these two men conducted hearings in eight cities at their own expense. Only then, at the end, did the Commission stage two "official" hearings, lest the public not accept their report.

When Dr. Victor B. Cline, a psychologist at the University of Utah, and a specialist in social science research methodology and statistics, repeatedly called for a panel of unbiased scientists to "a) evaluate the original research sponsored by the Commission and b) to assess what conclusions might legitimately be drawn from the assembled evidence,"[104] the Commission's leaders and a majority of the members ignored his request. But both Fr. Hill and Dr. Link believed that the facts of Dr. Cline's record spoke for itself. He was the author of 30 published research projects funded by several national offices; he taught experimental, clinical, and child psychology; and he was a practicing clinical psychologist. Due to these qualifications, they requested that he serve as an unpaid consultant. In the interest of truth and science, he agreed to do so.

Dr. Cline cited the two reasons why laws regulating and controlling the traffic of obscene and pornographic materials exist. They were: first, the potential harmful or adverse effects such materials may have on the user, child or adult (e.g. corrupt one's morals, deprave, feed a neurosis, awaken and provoke the sex appetite in an unstable individual who might thereby sexually harm or molest another, etc.)."[105] The second has to do with "offense to public morality or taste,"[106] such as prostitution, public exposure and nudity, etc. He pointed out that his task would be to focus on the first reason, to check the accuracy of the Commission's Effects Panel Report, in which the Majority claimed "no harm" done to users of pornography and also recommended the removal of all restrictions for its distribution to adults, except unsolicited mail order pornography, and certain open public displays.

Dr. Cline stated that a number of the 85 Commission's research studies were presented in deceiving reports, Some suggested "significant statistical relationships between pornography, sexual deviancy and promiscuity,"[107] but omitted or "concealed" some vital data which demonstrated this connection. Other findings, he showed, were presented as fact without revealing their serious limitations, such as seriously flawed research due to poor sampling or conclusions which did not follow from the data.

A closer look at the Commission's sponsored research reveals that in seven different research studies,[108] negative or harmful effects of pornography were evident in the research data, but no mention of these findings were made by the Commission in the Majority Report.

In the 1970 Kutschinsky study, Dr. Cline pointed out the actual misrepresentation by the Majority Report of factual data. He also questioned the validity of this research, since the statistics given were the number of sex crimes reported over a period of ten years in Copenhagen, but so often sex crimes go unreported. Even some of those surveyed, who admitted they had been victims of such crimes, had failed to report those crimes. Yet in the Final Report of the Commission, they manipulated the conclusion reached by Kutschinsky, a Danish psychologist, to state the exact opposite of his results (see pp. 398-400 of the Minority Report).

When the Commission staff reviewed the Walker Research, 1970, neither Walker nor the Commission staff said anything about an error in the conclusion which common sense would have checked. Dr. Cline went to the data of the study to show how incredulous was their conclusion (see The Minority Report pp. 400-401).

In the Commission's summary of the 1964 Berninghausen & Faunce research of delinquent and non-delinquent youth, (a study not funded by the Commission), Dr. Cline found three typical errors: "a) they cited data to prove a point from a 'worthless' study; b) they didn't tell the reader the study was flawed, and they presented only that evidence which favored their point of view; and c) they again failed to cite contrary findings."[109] He saw all these errors as serious ones, since most readers would not read the original studies; thus, they were at the mercy of the writers of the Report for accurate data and thorough information.

Most studies, Dr. Cline reported, were heavily based on data obtained by verbal self report without further outside verification. He pointed out several reasons why such data must be viewed with suspicion. Some, especially criminals, might consciously distort the information to protect themselves. Questions about sexual relations increase the use of dishonesty for protection. Questions asking the same information, but worded slightly differently, revealed major differences in responses. However, Dr. Cline felt that the writers of the Commission Report tended to evaluate "verbal reports" as "facts", and when there were differences, the writers stressed the data which favored their views.

Other problem areas that Dr. Cline noticed with the Final Report of the Majority on the Commission included the following:

1) the ethical question of exposing young people age 18 and over, although with their consent (except some who were informed of the nature of the research after they had arrived) to large amounts of hard core pornography;

2) the lack of any longitudinal studies to determine pornography's long range effects on a participant's sexual activities, sex offenses, moral values, etc.;

3) no in depth clinical studies (most studies were verbal report) of persons to assess the effect of pornography use on attitudes, character, sex offenses, anti-social behavior, etc.;

4) abscence of studies of porno-violence (pornography combined with violence) now increasingly used in fiction and in movies; one of the results of the Final Report of the National Commission of the Causes and Prevention of Violence (1969) was the fact that visual presentations of violence were linked with aggressive acting out behavior, but no study applying this to pornoviolence (sexual abuse and physical injury inflicted on male/female, etc.) was included;

5) similarly, no study was done, nor even mentioned, on the results of the work of Albert Bandura and his associates at Stanford University in the area of imitative learning; he, and other researchers on this, have demonstrated that a significant amount of learning occurs by watching and imitating the behavior of others; no application of his research was made to users of pornography, e.g., imitating anti-social sexual behaviors viewed on the screen or in other media;

6) no experimental, longitudinal, or clinical case study was done involving youth, yet the Final Report states,

" '(There) is no evidence that exposure to or use of explicit sexual materials ... plays a significant role in the causation of delinquent or criminal behavior among youth or adults ...;' "[110] questionnaires, subject to misinterpretation and person's memory and truthfulness (particularly about sex) were the only source of information for youth;

7) questionable use of only volunteers for exposure to pornography studies; would those who reject pornography be studied? and

8) the limitation of the effects of pornography to studies determining whether or not it caused or contributed to sex crimes, since studies should have included its effects on individuals' total relationships to persons male and female, to children and to adults, and their outlook on life in general.

In Part IV of their Minority Report, Fr. Hill and Dr. Link analyzed the Legal Panel Report done by the Majority. They viewed that report as most misleading, even to Commission members not familiar with the law. It was prepared by the general counsel, Mr. Bender, and his staff and they were assisted by Mr. William B. Lockhart (who had himself appointed chairman of the Commission, although it was mandated by public law 90-100 that the Chairman and Vice-chairman were to be elected by members of the Commission). Both Mr. Lockhurt and Mr. Bender, members of Civil Liberties Unions, favored the position of the American Civil Liberties Union in regard to the First Amendment: "Obscenity as much as any other form of speech or press is entitled to protection of the First Amendment." (Annual Report, American Civil Liberties Union, July 1, 1965 to January 11, 1967, page 9.)[111] Consequently, they aimed to prove that their theory (obscenity is protected speech) was the national law.

Particularly deceptive was the language the Legal Panel Report used to quote the results of Supreme Court cases dealing with obscenity. First they summarized the Supreme Court definition of "obscene" as follows: an item is obscene if it meets all three of these criteria: "1) the dominant theme of the material, taken as a whole, must appeal to the prurient interest of the average person; 2) the material must be patently offensive according to contemporary community standards, and 3) the material must lack redeeming social value."[112]

Very clearly, Dr. Link and Father Hill showed how the phrase "lack redeeming social value" has never been an official position of the Supreme Court of the United States. It was the opinion of only three justices in the 1966 Memoirs (Fanny Hill) case, but three out of nine justices' opinions has never been binding in any Supreme Court case, for

> "A decision by an equally divided court does not establish a precedent required to be followed under the stare decisis doctrine. And where the members of the court unanimously or by a majority vote reach a decision, but cannot even by a majority agree on the reason therefore, no point of law is established by the decision and it cannot be a precedent covered by the stare decisis rule." (29 American Juriprudence 2nd, at Section 195 of the topic "Courts.")[113]

Furthermore, the two dissenters explained that the only Supreme Court case (up to 1970, the date of their report) used to define obscenity was the Roth case, and that definition has not been modified by any subsequent decisions (from 1957 to 1970). The Roth case described an item obscene "when to the average person, applying contemporary community standards, the dominant theme of the material taken as a whole appeals to the prurient interest."[114] Nothing was said about "lack of redeeming social value," because the very fact that it was judged obscene proved that it had no redeeming value. In Roth it stated: "1) it is not necessary to prove that 'obscene material will perceptively create a clear and present danger of antisocial conduct or will induce its recipients to such conduct;' and 2) that the basis for federal and state proscription for obscenity is 'the social interest in order and morality.' "[115] Consequently, Fr. Hill and Dr. Link questioned the work of Mr. Bender and his counsel since they would have known that a Supreme Court decision was not binding unless a majority of the justices agreed on the opinion of the case. So they claimed that the legal counsel had misled the unknowledgeable Commissioners along with other readers of the Legal Report.

The two Minority Commissioners next demonstrated that the Legal Panels' efforts to reverse the Roth decision were also attempted by quoting only parts of the 1969 Stanley v. Georgia decision which said: a "state may not convict a person of crime 'for mere possession of printed or filmed matter in the privacy of a person's home.' (22L Ed. 2d 542.)" [116] The important words, "in his own home," were stated several times by the Supreme Court in that case, but those are the very words which the Legal Panel left out when it stated: " 'The question of the social effect of obscenity, which Roth had deemed irrelevant, has assumed critical importance in Stanley "in order to determine whether the state there had a valid regulatory interest sufficient to prohibit possession of obscene materials." The court upheld that it did not.' "[117] To say that the state cannot prohibit the private possession of obscene items in *one's own home* is *not* the same as saying that the state cannot validly prohibit the private possession of obscene materials outside the home.

The third term which the Bender-Lockhart Panel Report coined for its own usage was "consenting adults." This phrase cannot be found in any Supreme Court opinion, nor can the Legal Report's implication that "consenting adults" were free to receive obscene matter, or as they called it "explicit sexual material" (another phrase of their own making). They suggested that the 1966 Ginzburg v. United States resulted in giving "consenting adults" this right, but the real importance of this case was that it insured that "The State has a valid interest in preventing pandering to 'the widespread weakness for titillation by pornography' books and magazines.'"[118]

To give a complete report, the two minority Commissioners reviewed all of the cases of The U.S. Supreme Court dealing with obscenity beginning with the Roth case in 1957 and ending with those in 1970. During that time, the one phrase which continually caused trouble was the so-called third test some claimed necessary to define an item obscene, that is, if it was "utterly without redeeming social value." The phrase was first used by two justices, J. Brennan and J. Goldberg, in 1964 in the Jacobellis v. Ohio case; but as was stated before, the opinion of two justices out of nine was not sufficient to make that opinion a law or a precedent for other cases. In 1966, the state court heard the case, A Book Named ... Memoirs of a Woman of Pleasure v. Attorney General of Massachusetts, the court declared the book, more commonly known as Fanny Hill, obscene. The United States Supreme Court did reverse that decision, but the Court was divided in opinions. That time three justices, Justices Brennan, Warren and Fortas, held that the book was not obscene because it did not meet all three tests: a) "as a whole" it must "appeal to the prurient interest in sex," b) the material must be "patently offensive because it affronts contemporary standards relating to the description or representation of sexual matters, and, c) the material is utterly without redeeming social value."[119] Justice Clark disagreed with these three, and he chided them for adding a new test to the Roth ruling (which can be summarized by these two tests: 1) judge the book by its whole, not its parts, and 2) judge it in "terms of its appeal to the prurient interest to the average person, applying contemporary community standards."[120] Both he and Justice White held the Roth Court's opinion in regard to obscenity:

> "Such utterances are no essential part of any exposition of ideas, and are of such slight social value as a step to truth that any benefit that may be derived from them is clearly outweighed by the social interest in order and morality."[121]

Later, the Legal Panel Report admitted that this third test for obscenity (without redeeming social value) was not binding, since it was never the majority opinion of the Supreme Court. Nevertheless, the Report encouraged its incorporation in state and local statutes, so much so that it has been falsely promoted as part of the official Supreme Court definition of an obscene item. Consequently, many states changed their statutes to include it as part of their definition of obscenity. The result was what Justice Clark prophesized: the inclusion of this third test "gives the smut artist free rein to carry on his dirty business."[122]

Father Hill and Dr. Link concluded that the whole purpose of the Majority Commission's Report "is to legalize pornography."[123]

Since 1970, the Supreme Court of our nation has revised their definition of obscenity. In June, 1973, the Court heard the Miller v. California case. It affirmed the State's conviction that Miller was guilty of breaking the California law by "mailing unsolicited sexually explicit material."[124] In this case, the Court of our land set down the following test for obscenity:

> "a) (the test set down by Roth) Whether "the average person applying contemporary community standards" would find that the work taken as a whole appeals to the prurient interest...
> b) whether the work depicts or describes in a patently offensive way sexual conduct specifically defined by the applicable state law (examples of such were

given later by the Court), and
c) whether the work, taken as a whole, lacks serious literary, artistic, political or scientific value.' "[125]

In other words, the first part of the revised three part obscenity test remained about the same as before (Roth test). The second part called for state statutes to define specifically the obscene conduct which would be prohibited. The third section delineated in what areas the work, taken as a whole, must seriously contribute to society.

Since June, 1973, many libertarians have declared that a number of state laws are unconstitutional now because they do not have the following, or similar, details of prohibited conduct required by the Court in their new section two test for obscenity; examples given by the Court were: "a) Patently offensive representation or descriptions of ultimate sexual acts, normal or perverted, actual or simulated, and b) Patently offensive representations or descriptions of masturbation, excretory functions, and lewd exhibition of the genitals. Sex and nudity may not be exploited without limit in such public places. At a minimum, prurient patently offensive depiction or description of sexual conduct must have serious literary, artistic, political or scientific value to merit First Amendment protection...For example, medical books for medical personnel..."[126] At first glance, the accusation against state laws would seem correct. However, these very objectors failed to note that on the same day that the United States Supreme Court decided the Miller case, it also handed down the opinion for United States v. Twelve 200 ft. Reels.

In footnote "7" of the latter case, the Supreme Court "authoritatively construed the federal obscenity statutes as incorporating the specific examples of sexual conduct given in Miller."127 In so doing, the U.S. Supreme Court invited state courts to likewise update, or construe, their own state statutes by some simple means, such as a footnote.

The Supreme Court further acknowledged the fact that some state laws had wrongfully been pressured to adopt the phrase, "utterly without social value" for a third test. Then the Court reminded such states of their right, through the fourteenth amendment, to resort to appellate courts, when necessary, to review the law, as written, or as authoritatively construed. In other words, it encouraged them to update state laws to conform to the national test for obscenity declared by the Court.

Ruling on who will decide the fact of obscenity, the Court emphasized the reliability of the jury system, with its various safeguards, for trying these and other crimes against persons or society as a whole. The jury would use community standards, and not national standards (as some would argue) when judging material to be obscene or not.

Two important decisions of the United States Supreme Court occurred in 1973. In Paris Adult Theater v. Slaton, the Court rejected the "consenting adults" theory promoted since 1969. It admitted its special concern, protecting children and unconsenting adults from such matter, but also stated its right to regulate it in local commerce and in all public places as long as no specific constitutional rights were violated.

Rights of its advocates were not almighty; other persons have rights, which "include the interest of the public in the quality of life and the total community environment, the tone of commerce in great city centers, and possibly, the public safety itself."[128] Here the Court cited from evidence in the Hill-Link Report, "there is at least 'an arguable correlation between obscene material and crime.' "[129] It went on to say that it was not necessary to scientifically prove a point, such as obscene materials caused crime, as long as a state could prove that a connection did or might have existed. For example, states have adopted antitrust laws to restrict formation of monopolies on the assumption of their possible existence. The Court further rejected the "privacy right" in public places, since one necessarily excluded the other.

In Stanley v. Georgia, 1969, the Court refused to uphold the "privacy right" outside one's home. It again upheld this decision in 1973 in United States v. 12 200 Foot Reels against a person who brought obscene 8mm films into the United States from Mexico. He claimed they were for his own private use and were thus protected by Stanley v. Georgia and the First Amendment. The Court likened this claim to one permitting a person to import illegal drugs for his own private use. Thus, his action was protected neither by Stanley v. Georgia nor by the First Amendment, which does not protect obscene matter (Roth and Miller Rulings).

Also in 1973, in the United States v. Orito, the Supreme Court ruled that no person had the constitutional right to transport obscene matter from one state to another in his "private conveyence". It upheld that the privacy right does not go beyond one's home.

These recent Supreme Court rulings of the United States have been greatly influenced by the Minority Report of the Presidential Commission on Obscenity and Pornography submitted by Father Hill and Rev. Link. In it, they concluded with constitutional recommendations for controlling the traffic of obscenity and pornography, one of the mandates given by Congress to the Commission. The sample or model obscenity statutes which these two men included in that section have been successfully used to fight the battle against pornography on both the State and City levels. As Senator Gordon Allott said to the members of The United States Senate: " '... the minority of this Commission, surrounded by examples of irresponsibility and duplicity, waged an energetic fight to keep the Commission true to its mandate and to advance the cause of common decency...They have presented their views in a cogent dissenting report which will be guiding public policy long after the much-publicized majority report has sunk from memory.' "130

D. Controversy Among Catholics

The controversy about censorship exists among Catholics too. Since this study was interested in views of mostly Catholic librarians toward censorship and intellectual freedom, a look at a recent survey of Catholics on this topic was apropos. In the August, 1976, issue of U.S. Catholic, a monthly periodical, the results of a poll on censorship were recorded in the section called "Sounding Board." Advance copies of a related article and the questionnaire were mailed to a representative sample of its subscribers. Eight statements were presented for which persons were asked to mark "agree," "disagree," or "other." The results of this study were as follows: Statements, (S), 2, 4, and 8 had similarities in the percentages for each of the three possible responses, whereas the responses varied widely for the other five statements.

Almost three fourths (72%) disagreed that "It should be legal to purchase pornography through the mails," a little over one fourth (27%) agreed, and 1% had other responses. Responses to another statement, "giving communities the right to control sex-related material might easily lead to community control of political and religious material" were: 72% disagreed, 24% agreed, and 4% other. Almost three fourths (74%) agreed to a third statement concerning censorship: "Along with Mr. Smith, I think communities have the right to decide what can be sold on news-stands and shown in theatres," while one fifth (20%) disagreed and 6% had other responses.

The responses for the other five statements indicated that 60% agreed that "the open sale of pornography causes sex crimes," 31% disagreed, and 9% had other responses; 63% agreed that "no one has the right to decide what I can read or do in the privacy of my home," 27% disagreed, and 4% had different responses; 35% agreed that "it should be legal to sell pornography as long as it is not openly and offensively displayed," 57% disagreed, and 8% felt otherwise; 65% agreed that "parents, not government, should control what children read and watch," 14% disagreed, and 21% had other reactions; (this statement might appear, at first, in conflict with the earlier one, "I think communities have the right to decide what can be sold on news-stands and shown in theatres," but communities are made up of parents who wish to control what is available to their children). And finally, 40% agreed that "if children receive proper home training, pornography should not harm them," to which over half(52%) disagreed, and 8% had other responses.

A careful sampling of the "other" responses and of comments yielded 47 printed statements. Of these, this author rated 8 against censorship, 24 for it, 12 on the complex nature of the problem (neither for nor against censorship specifically), and 3 undeterminable from the excerpt printed. In conclusion, this study demonstrated that a large majority (about 75%) of the Catholics consulted were in favor of community control of sex-related material at news-stands and theatres and control of their sales via mail; however a substantial minority (about 20-25%) disagreed. These Catholics differed widely in their opinions of the effects of pornography also.[131]

E. Current Controversies: Parents vs. Educators, etc.

Some current examples of the controversy among adults reveal battles between the views of some parents and those of educators. In Library Journal, April 15, 1976, on page 958, eight different cases in this vein were summarized.

1) In Maryland, there was a bill demanding that parents be consulted (via displays) for approval of future textbooks to be purchased; means to register complaints through local school boards were included. However, it was being debated by school districts who felt that such a law would
   a) inhibit their right "to set their own policies,
   b) dictate a cumbersome administrative process, and
   c) add substantial extra costs to strapped school budgets;" the Civil Liberties Union backed the educators.
2) In Mississippi, the National Association for the Advancement of Colored People was fighting a suit to get approval, for state use, of a history textbook that included the new role of the Blacks. The State Textbook Board rejected the book last year in favor of a slightly updated edition of the textbook

they had used for several years, one which placed the Blacks in an unfavorable position and encouraged segregation.

3) In West Virginia in Kanawha County, parents opposed a series of textbooks in 1974-75 demonstrations because they considered them as "obscene, unpatriotic, and un-Christian," but the federal appeals court recently upheld the right of that county to use them.

4) In Massapequa, New York, Ed Cunningham was then waging a one man effort to get J. D. Salinger's "profane" Catcher in the Rye banned in his community, and school officials promised another review of the book.

5) Back in Maryland, this time in Howard County, public school officials claimed that the 29 books on drug education and family life education which they designated as unfit for school use were found to contain "inaccurate, misleading, or outdated information," but the American Civil Liberties Union in Maryland has called the school's action "an abridgement of academic freedom."

6) In Peterborough, County Ontario, Canada, two books receiving opposition in the schools were winners of the Governor-General's Award for Literature. The principal of Kenner Collegiate and Vocational Institute questioned the first book, The Lives of Girls and Women by Alice Munro, for its use of

"explicit sexual references and four-letter words;" he wanted it banned permanantly from the English reading list, but students were against the ban. If parents insisted, however, the principal would make the book available. He did approve the other book, The Diviners, but some Board of Education members did not.

7) Cheyenne, Wyoming, banned The Learning Tree by Gordon Parks from junior high literature classes for the sex-violence of the 12 year old Black hero.

8) Finally, in Oklahoma, some parents objected to circulation of two children's books, Boys and Sex and Girls and Sex, in the County Libraries; the mayor and a County Commissioner favored the ban, but a "recent newspaper poll got 911 votes (53%) in favor of keeping the two disputed books, and 800 votes (47%) against." The library developed a proposal to set up a two card system -- one for those whose parents would allow them to read anything and a second one for children whose parents would deny them access to sex information and adult fiction. However, the American Civil Liberties Union said that the two card system was "unconstitutional" and then threatened to file a suit if the library did adopt the proposal. Thus, the controversial question, "Who controls the reading of children and youth: Parents or Educators?" remains unresolved.

F. Controversy Among Librarians

The controversy surrounding the issue of censorship and intellectual freedom exists among librarians too. At the 1975 ALA Conference in San Francisco, the Council on Interracial Books for Children (CIBC) distributed its Bulletin (vol. 6, nos. 3-4) in which it charged that the policies of ALA's Intellectual Freedom Committee (IFC) are " 'in actuality, though perhaps unwittingly, pro-racist, pro-sexist and pro-censorship.' "[132] Writers for School Library Journal agreed. They stated "that ALA's IFC policy statements tend to ignore the philosophic bases and the realities of providing selective library collections for the use of minors."[133] So the editor stated that a meeting between IFC and representatives from ALA's three youth services divisions was essential to try to resolve the complex issues and then act together against suppression of issues in children's books.

Next will be a review of research done by librarians on this topic of intellectual freedom which further demonstrates the variation between views they profess and those which they practice.

Research by librarians.

The first person known to have done valuable research on the attitudes of librarians toward censorship was Marjorie Fiske. Between 1956-58, she studied California librarians' attitudes toward censorship and also their selection policies and practices. Striving to include as wide a range of variables as possible, she chose a sample of twenty six communities based on their "size, rate of growth, ethnic composition of the population, geographic location, and type of library service."[134] She interviewed administrators and school librarians, municipal librarians, and county librarians.

Marjorie Fiske discovered that librarians practice two methods of censuring controversial materials: 1) when selecting books, and 2) when circulating books. When selecting books, school librarians were sensitive and tended to avoid controversial materials, as compared to the municipal and county librarians. However, "a somewhat higher proportion of school librarians did not take controversiality into account at all in making their initial selections."[135] County librarians did not tend to habitually avoid controversial subjects as much as public and school librarians did. A community's growth rate seemed to have no bearing on caution used in book selecting. However, in communities with almost homogeneous ethnic groups, nearly one half of the librarians disregarded the controversiality of materials selected; whereas in a heterogeneous community, one fourth disregarded it.

The second way librarians censured controversial books was by removing them from the regular stacks and restricting their use by placing them on "reserve," or by placing them behind or under the front desk, or by placing them in the librarian's work room. These books were available when requested by patrons.

She also found that persons with professional training were less likely to fear selecting controversial materials than those without such training. She discovered that a person's length of work experience did have significant effect on his/her outlook on book selecting. Over 50% of those working for less than ten years, exercised little caution when selecting controversial materials as compared to those with twenty years or more work experience (24%). On the other hand, of those working over 20 years or more, 24% tended to avoid controversial topics when selecting books. A third large segment consisted of librarians who fell between the two extremes; "they avoid controversial books if some 'professional' justification can be found"[136] for doing it.

Charles H. Busha in 1972 completed a study of the public librarians in the Midwestern states of Illinois, Indiana, Michigan, Ohio, and Wisconsin. His data were collected from a survey of a stratified random sample of 900 individuals out of possible 3,253 public librarians in the five states. Using the principles and concepts in the Library Bill of Rights and Freedom to Read statement, Busha designed a questionnaire to measure 1) the attitudes of the librarians about intellectual freedom, 2) their attitudes about censorship activities (opposed to it, approve it, or neutral), and 3) with items from the F scale on authoritarianism, "to measure the potential of an individual to accept fascist ideology."[137] He was interested in discovering if there was any "relationship between librarians' attitudes toward censorship and their attitudes about certain characteristic beliefs of authoritarianism."[138]

Busha felt that the most significant result of his study was "that the data showed a marked disparity between the attitudes of many librarians toward intellectual freedom as a concept and their attitudes toward censorship as an activity."[139] He found 14% were sympathetic toward censorship, 22% were strongly opposed to it, and the other 64% were in a neutral position. However, almost all of the librarians were for the concept of Intellectual Freedom, approving, with few exceptions, the statements taken from Library Bill of Rights and the Freedom to Read statement.

He found that some statistical relationships existed between the librarians' attitudes toward intellectual freedom and the size of their community: the larger the community, the less pro-censorship were the librarians. Like Fiske, he discovered that the amount of education the librarian had received also had a significant relationship to his/her attitude toward censorship practices. Those with fifth year library science degrees had very high anti-censorship attitudes. At the opposite extreme, those for pro-censorship were students who had not yet completed high school. Thus, his study suggested that the more formal education one received, the less likely he/she would favor censorship practices.

His study also showed the relationship of age to attitudes toward censorship: the older the librarian (with a few exceptions), the more favorably he viewed censorship. In regard to sex, "male public librarians in the Midwest are less likely to approve of censorship than are female librarians."[140]

Finally, he found that librarians who tended "to agree with authoritarian beliefs contained in the F scale on authoritarianism will also tend, very strongly, to accept or to agree to censorship measures at the operational level."[141]

Two other studies that deal with attitudes toward intellectual freedom have been done recently by students in the School of Library Science at Emporia, Kansas. In 1972, Daniel J. Bradbury did research on "Attitude Differences Toward Obscenity and Intellectual Freedom Between Library Students and Potential Library Users." Two years later, Paul Howard Jackson did his research project on "A Study of the Attitudes of the American Christian Denominations' Views Toward Intellectual Freedom."

Daniel J. Bradbury used an adaptation of the Likert attitude scale to determine the views of three groups toward obscenity and intellectual freedom. The three groups were composed of a) graduate library students at Kansas State

Teachers College, b) students at the University of Missouri at Kansas City, and c) suburban residents in the Kansas City area. He concluded that all three groups did have liberal inclinations; however, "the library students were slightly more liberal than the suburban residents, and the UMKC students proved to be more liberal than the library students.[142] His hypothesis that graduate library school students would be more liberal than either of the other two groups was not supported. It was a surprise, since library professional personnel were committed to the principle of intellectual freedom, as a rule, as declared in the three ALA Documents. In addition to the Likert technique, Bradbury designed a list of items for respondents to mark as obscene or not. It was designed to check attitude consistency; "For the most part there was a direct correlation between the total score and the number of items checked as obscene."[143] The fact that a number of the respondents were unfamiliar with several items in the consistency check may have been because some items were not real ones.

In his study, Paul Jackson tried "to determine whether a denomination's attitudes towards religious issues affects its attitudes toward intellectual freedom,"[144] in particular to these three areas: "publication and access to 1) pornographic, 2) extremist political, and 3) extremist religious materials."[145] From the results, Jackson discovered that 1) few denominations answered the three aspects of intellectual freedom from a libertarian stand. Yet most denominations

(64%) did agree in libertarian answers to some of the three issues, even some of the most conservative groups. Some more liberal churches were not any more liberal toward intellectual freedom issues than some of the more conservative groups. About pornography, only five of the twenty-two denominations saw it in a libertine way. One section of Jackson's survey dealt with attitudes toward theology, such as the Incarnation. There was a high correlation between the denominations' theological attitudes and their responses to the pornography issues.[146]

Fiske, Busha, Bradbury, and Jackson discovered that the attitudes of librarians toward intellectual freedom varies. Although there is some question as to what limits it should have in theory and practice, most would agree that the principle of intellectual freedom is a goal which librarians should strive to provide for their patrons.

CHAPTER V

Research Design

The population of this study is the group of librarians that comprise the Midwest Unit of the Catholic Library Association. At their Spring meeting in 1975, several members voiced concern about so much questionable material being published today. They established an ad-hoc committee to study the problem and to prepare a statement on censorship and intellectual freedom, one which reflected the views of the members and was subject to their approval. Thus, there are many questions in the questionnaire designed with this in mind.

The data for this study will be gathered through a questionnaire. This method seemed the best after considering several factors. First, the number of people who will be involved is close to one hundred. Secondly,these people are distributed over a wide geographical area of three states, Kansas, western Missouri, and Oklahoma. Finally, this method provides an allowance for the confidential nature of their responses for this study.

The questionnaire itself, will be divided into these four sections:

I. Background information on the respondent (primarily residential),

II. Questions about sections of the three American Library Association's Documents on Intellectual Freedom,

III. Question on ALA membership involvement, and

IV. General questions concerning censorship in practice, particularly book selection policies, practices, and complaint procedures.

Section I

Questions in Section I will have completion answers about the person's background, mainly for residential information. Included in this section, will be a question requesting the respondent to mark whether or not one would desire a copy of the results of this study. Those who mark "Yes" will form a mailing list for the results of the questionnaire. All of Section I will be separated from the rest to provide anonymity for the questions which follow.

Section II

In Section II, key points stressed by ALA in their three major documents on intellectual freedom provide an objective basis for measuring the attitudes of respondents on this issue. After studying the viewpoints expressed in them, members of the Midwest Unit will be requested to respond to some questions with one of three choices: "agree," "disagree," or "other;" the responses "agree" and "disagree" were selected because they imply a person's attitude toward the question at hand. The third response, "other", was chosen to encourage the respondent to explain or comment on his view, whenever it did not coincide with the other two responses. For questions more factual in nature, the three alternative answers will be: "yes," "no", and "other." This same format for answers applies to Sections II,III,and IV.

The first question (a) in Section II seeks to discover if these Midwest librarians are familiar with the three ALA Documents dealing with the topic of intellectual freedom: Freedom to Read, Library Bill of Rights, and School Library Bill of Rights, and also with the fairly recent revisions.

The second question, B, asks those who respond if they agree in general with the basic principles incorporated in each of the three documents, primarily the norm that librarians should provide materials giving information of all sides of controversial issues- political, religious, and social.

The third question, C, will ask almost identical information as B, but will be about a specific basic principle adopted by ALA in their documents, the principle of not deleting controversial materials at the insistence of small minorities.

The next question, D, deals more specifically with the revisions in two Documents on the subject of censorship of obscene materials. It incorporates from Freedom to Read both the original, "1", and the revised "2", versions. It then requests the participant to mark a preference for the

(1) original or for the (2) revised edition. The participant also has a third alternative choice, "other" and will be asked to specify it.

Questions E and F deal with the definition of an obscene work. Question E seeks to determine if the respondents agree with the 1973 U.S. Supreme Court ruling representing three criteria necessary for defining a work obscene . In order to determine the awareness of participants on the present stance of the U.S. Supreme Court in regard to defining an object "obscene", question F is also included. It is an attempt to see if the librarians, like most of the members of the U.S. Commission on Obscenity and Pornography, had been misled by the false publicity given their three norms defining obscenity (especially the third one). Both the correct and the wrong definitions will be provided. The participant will be asked to mark the proper answer. This question also has bearing on question F), which seeks the opinion of the respondent to the inclusion and exclusion in Freedon to Read of the statement, "The present laws dealing with obscenity should be vigorously enforced."

Section III

The question in Section III has to do with involvement of all members in determining ALA policies before their final adoption. For such a large organization it is only practical that committees or small groups draw up proposals for consideration. Feedback can come from the proportionally small number who attend conventions. Although expensive, would not a mail ballot for suggested new or revised policies of significance to all members be feasible?

Section IV

Whereas the questions in Section II deal with the theory of intellectual freedom, those in Section IV will consider practical applications of that theory in terms of media selection policies and practices. The first question, A, inquires if those concerned have taken means to guard against biased censorship when selecting books. One such means is a Book Selection Policy, which provides objective norms for determining what shall be selected for a library. The second part of this question requests information on who wrote the Book Selection Policy. The more qualified persons involved in drawing it up, the less bias should be found in the objective norms.

It is conceivable that a place might have a written book selection policy, but let it stay on paper and not go past that. Hence, question IV B: "Do you have an ongoing committee for book selection?" Checking to see that the librarian has someone with whom to consult for ordering books, the next related question asks who is on the committee; several choices are available in the answer.

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Another practical aspect in regard to the theory of intellectual freedom is having a complaint policy for media which patrons desire to be removed from circulation. An important part of such a policy is to inquire if the person demanding the withdrawal has based his complaint on parts of the media or on its entire contents. Another factor worthy of consideration in this area is to determine if the complaint is based on personal experience or on hearsay. So question IV C addresses itself to the problem of complaints asking librarians if they have a policy for them.

CHAPTER VI

Importance of the Study

This research on intellectual freedom vs. censorship has tried to search for a value, the value of literature, its contents, and its impact, especially as seen through the eyes of librarians. Insight from similar research in the past and the present experience of active librarians is sought.

One major past investigation was commissioned by the U. S. Congress in 1967 "to study the effect of pornography upon the public and to analyze laws pertaining to the control of erotica;"[147] this group was called the Commission on Obscenity and Pornography. The following conclusions were reached by the Majority of the Commission and were published in the majority report:

"*There is no evidence linking exposure to pornography with juvenile delinquency and criminal behavior.

*A majority of Americans do not believe in censorship laws.

*Repeal of censorship laws will not increase the availability of additional materials.

*There is no evidence that exposure to explicit sexual materials adversely affects moral attitudes.

*All Federal, state and local legislation prohibiting the sale of erotica to consenting adults should be repealed."[148]

The question arises, Did any Americans disagree with or object to this finding? Yes, there was a minority report filed by two members of that Commission; they charged the authors of the majority report with using some dishonest techniques both in setting up the Commission and in recording their results, plus poor research methodology. On October 13, 1970, the Senate of the United States rejected by a 60 to 5 vote the Majority Report of the Commission on Obscenity and Pornography (S Res 477). And on September 29, 1970, Representative Thaddeus Dulski spoke in the U. S. House of Representatives calling to public attention the detail and usefulness of the Minority Report filed by the two dissenting members of that Commission.

About the same time, 1967-1970, leaders of American Library Association were trying to revise their statements on Intellectual Freedom: Library Bill of Rights (rev. in 1967), School Library Bill of Rights (rev. in 1969), and Freedom to Read (1972 rev.). It is not known for certain how much a role the results of the Commission on Obscenity and Pornography published in the Majority Report had affected the revision of these statements, but because of the large publicity given to it, it certainly could have played a powerful influence. This would be a good topic for further research.

As citizens informed by mass media, librarians, too, were aware of the results of the Majority Commission's Findings, but how much they knew (if anything) about the Minority Report of the two commission members or action in the Senate against the Majority Report or a little earlier in the House could also make a good topic for further research.

One aspect related to censorship is the definition of obscenity. Several pages in the section of Review of the

Literature have attempted to describe the controversy surrounding its official definition laid down by the United States Supreme Court. One question in the questionnaire tried to determine the attitudes of Midwest CLA librarians toward the court's criteria for defining an object obscene, because another question sought their attitudes toward the original and the revised editions of Freedom to Read in regard to obscenity.

Past research on attitudes of librarians toward intellectual freedom and censorship were studied. There were two major works; the first was by Marjorie Fiske who worked with librarians in California in the early 1950's, and the second was by Charles H. Busha, who studied librarians in the Midwestern states of Illinois, Indiana, Michigan, Ohio, and Wisconsin about 1970. Two unpublished reports studying librarians in Kansas were consulted; they were by Daniel Bradbury in 1972 and Paul Jackson in 1974, both students at Emporia State University (then known as Kansas State Teachers College). The present paper attempts to evaluate the attitudes towards this sensitive topic of mostly Catholic librarians in Kansas, western Missouri, and Oklahoma. It will be important to note differences and similarities discovered in this research with those previously analyzed and recorded, for example, the place for employment of respondents (public, special, academic, or school librarians). Will this research show that school librarians tended to avoid the controversial issues as Marjorie Fiske discovered in her 1956-1958 study.[7]

A limitation of this study may be the varying backgrounds of members of the Midwest Unit of the Catholic Library Association. Some are beyond 50-60 years of age, while others are much younger. This could influence their attitudes toward censorship. The amount of education beyond high school could definitely influence members' views too, as could the number of years educated in parochial schools. The size of locality in which a member resides and/or works may also have some bearing on the individual's attitudes toward intellectual freedom. The data for these factors would be aspects for further research.

Another limitation of this research is the fact that this questionnaire will have biased answers in the sense that it will be sent mostly to Catholic librarians, not a random sampling of librarians. Then too, the membership list for the Midwest Unit does not include every Catholic librarian in these three areas, Kansas, western Missouri, and Oklahoma, since not every Catholic librarian in these areas is a member of the Midwest Unit of CLA. Nevertheless, a sufficient number of librarians from the three designated areas will be questioned to make the study worthwhile.

It will be useful to know the attitudes of Midwest CLA members toward the topic of intellectual freedom for several reasons. In the first place, the Midwest is located in the center of our country, so influences from both the East and the West coasts often filter here in a convergence of ideas. By our own position then, we are capable of benefiting from one of the norms we proclaim: open hearings to all sides of controversial issues before making a judgement. Consequently, the attitudes of these librarians should be well balanced and worth consideration by other librarians.

Secondly, of great importance is the fact that the views of the members of the Midwest unit should prove interesting to other CLA members across the country on both the sub-area and national levels. Other area units might like to duplicate this study, or one similar to it, to compare theirs with the results of this study. From similar studies in all of its sub units, the national Catholic Library Association could gather data on which to base its own statement and policy with regard to the sensitive issue of censorship and intellectual freedom.

Further research should be done to see if other librarians agree to the recent revisions of ALA documents, which were adopted without much input from those on the bottom level of membership. Perhaps for more involvement, all members of ALA should complete a poll in order to discover what its members feel about a subject before the Board establishes a permanent stand. Maybe this could be done first on a State level. Then representatives for each state could present the results of their area to the Board. Only then would the Board make their final decision.

Another possibility for getting views of members of ALA would be similar to the U. S. Congress, where hearings are usually held on a topic before it is advanced to the floor for voting. In this case, date and places for the hearings would have to be published so interested parties could present their views. After the hearings are completed, the Board could vote on the issue.

The advantage to the method first proposed is the input from each member, making that person feel part of the organization, not just like one number among many in the statistics on membership. It would provide means for two way communication. As it is now, members do receive communications by or about ALA, but relatively few have an opportunity to give their own input.

The second method proposed would be the oral presentation of views, which could allow for clarification of unclear statements, one disadvantage of a written form, or questionnaire. A main disadvantage would be keeping members informed of dates for hearings for various issues. Perhaps a monthly or bi-monthly calendar mailed to members could solve this problem, but create one of expense. Perhaps a solution would be to combine the first and second methods, in the sense of having area hearings for input by all members; the results would then be taken to the national meeting via representatives.

Most significant of all is the possibility that the majority of librarians involved in this study will accept all the revisions of ALA, in which case my theory about libertarianism creeping into ALA standards for Intellectual Freedom could be proven wrong. On the other hand, it could be creeping into librarians, too.

CHAPTER VII

Summary of Questionnaire Responses

Personal Background of Respondents

The basis of this study on intellectual freedom and censorship was a questionnaire, which had been pretested by several libarians and altered according to their suggestions. Seventy-seven librarians in the Midwest Unit of Catholic Library Association were recipients of the questions. Sixty persons, or 78 percent of the members returned their completed questionnaire, many with pertinent comments (see Appendix: Sample Questionnaire and Comments.)

The population of those responding included the following groups: a) college, 28%, b) secondary school, 26.7%, elementary schools, 25%, d) public library, 6.7%, e) specialized library, 11.7%, plus one from an unknown source, 1.7% (see Table I on page 130).

Not included in the above break down were the partial responses of nine individuals. One was a College Sister who answered all the questions in a few sentences. Five other Sisters (4 elementary and 1 college wrote a line or two explaining that they did not care to participate in the study (e.g., start retirement). When mailed a second copy, a Sister and a woman from public library informed this researcher that they had already mailed their results. Since I never received them, I assumed that they had been lost in the mail. Another secondary librarian, who was mailed a second copy of the questionnaire at her new address, wrote that it was too late to complete hers. Counting these nine uncompleted responses, the researcher heard from 69 persons who were mailed questionnaires, that is, 89.6%. However, these nine will not be included in the results of the individual questions since they did not answer them.

The high percentage of returns (78%) could mean that these librarians have a vital interest in the topics of intellectual freedom and censorship. Such a concern was probably necessary to complete the quite lengthy questionnaire (3½ pages) on matters which may have required some research on the part of the respondents. However, the easy format for responding (agree/yes, disagree/no, or other) probably helped considerably. Another factor for the high number of returns was the fact that many of the respondents maybe struggled through similar projects and knew the importance of a high percentage of responses for the validity of the study. Consequently, they did what others had asked them to do. Connected with that was the reality that one does something for someone whom one knows and the Midwest CLA was small enough to know most members by name. There was also the fact that a couple of years ago, the Midwest Unit felt the need to make some statement on this controversial topic, but has been waiting for the results of this study to make the statement representative of members' views. In conclusion, all these factors probably influenced the high percentage of questionnaires returned.

First Question

The purpose of questions II A and B was to determine the attitudes of Midwest CLA members toward one aspect of intellectual freedom -- providing materials in libraries on all sides of controversial issues.

Question II A was for preliminary information -- "Are you familiar with all the following documents adopted by the American Library Association: Freedom to Read (1753, rev. 1972), Library Bill of Rights (1939, rev. 1967), and School Library Bill of Rights (1955, rev. 1969)?"

The best known of the three was Library Bill of Rights with 76.7% indicating that they were familiar with it, and correspondingly the least unknown with 18.3% not aware of it. Not answering this question were 1.7%, and the final 3.3% marked OTHER with these remarks: (know it) "slightly" and "somewhat". This is the oldest of the three documents, dating back to 1939, probably, an important factor for its being the best known.

Freedom to Read was known by 65% of the respondents, with 28.3% not knowledgeable about it. Not responding to the question were 1.7% and 5% marked OTHER with these comments: 1) (know it) "slightly", 2) "somewhat", and 3) "familiar with 1953 Freedom to Read; not familiar with 1972 Freedom to Read".

Least known was the document, School Library Bill of Rights. Although 65% marked that they knew it, (the same as for Freedom to Read) the percentage who marked that they did not know it (30%) was slightly greater than for Freedom to Read (28.3%). Only 1.7% marked OTHER with the comment "slightly" (know School Library Bill of Rights), while 3.37% did not respond to the question at all. One possibility for the slight difference in the knowledge of the two documents could be that those librarians who were from public and special libraries were not aware of this document, since it was adapted for school situations.

About two-thirds of the sixty respondents were aware of these documents, which was some indication that these librarians have had some education in this area of concern. (See Table II A 1, 2, and 3 summarizing the data for this section on p. 131 .)

The next question was to inquire if these librarians did agree with a norm common to all three documents: libraries should provide information on all sides of controversial issues. The question was broken down into various controversial issues: political, religious and social.

For political issues, 85% agreed that material of all sides of the questions at hand should be provided. From those who agreed were these comments: 1) "Yes -- in principle -- not always in fact:" 2) "The purpose and policy of the library would also dictate that materials would be selected:" 3) "Yes, provide, not promote. Impossible to keep all out -- since information on all sides might appear in various magazines, newspapers, Great Books of Western World, etc.

The level of the library -- academic, secondary, elementary -- should be taken into consideration;" 4) Agree for academic libraries; and 5) "In terms of values, I think we should stress those values which we try to teach, though not ban materials which present a different view."

Those who did not agree with dissemination of material on all sides of controversial political issues numbered 6.7% while another 6.7% did not attempt to answer the question. One person who did not agree, commented that this was "too broad a statement for school libraries." Finally, 1.7% marked OTHER along with this comment, "If objective, quality materials."

Fewer respondents, 76.7%, agreed that all sides of media on controversial religious issues should be provided by libraries. Those in agreement had comments similar to comments 1, 2, 4, and 5 above (in agreement for political issues). Two further remarks agreed to "courses on Ecumenism given in high schools. Ministers of various faiths invited to speak." ... "Great Religions of the World," etc.

In disagreement to providing a wide range of ideas on religious issues were 11%. One comment from a member of this group was: "Too broad a statement for school librarians." Then 6.7% failed to respond at all to this question. The 5% who marked OTHER included these comments: 1) "If objective, quality materials"; 2) "Limited availability", and 3) "Depends on whether or not it is a public library and perhaps on the kind of persons who pay the taxes, e.g., the West Virginians and North Carolinians."

The number who agreed that material should be provided on all sides of controversial social issues (80%) was greater than for religious issues (76.6%), but less than for political issues (85%). Political issues may be less threatening than the other two because they are more removed from most people. Comments in agreement with this policy of openness to all sides of social issues were similar to those given under political issues.

Those in disagreement to this open policy for social issues were 8%,; a comment from those was "too broad a statement for school libraries." Those who did not respond to this question were 6.7% and the remaining 5% marked OTHER, with comments similar to those under OTHER for political issues, plus this one, "consider the person requesting the material."

The fact that over 75% of the respondents favored the provision of materials on all sides of controversial political religious, and social issues is indicative that most Midwest CLA librarians are in agreement with this norm in the three ALA Documents: Freedom to Read, Library Bill of Rights, and School Library Bill of Rights. (See Table II B 1, 2, and 3 on p. 132).

Second Question

The main consideration in Questions II C, II C1, and II C2 was to ascertain the attitudes of Midwest CLA members toward ALA's own interpretation of their original and revised documents regarding the inclusion and exclusion of ethnic contents in library media. The content of Question II C1 dealt with that aspect, but it was derived from the general principle stated in Article 2 of the Library Bill of Rights: "No library material should be proscribed or removed from libraries because of partisan or doctrinal disapproval." Consequently Question II C began with the general principle asking libraries if they agreed with this concept. Then it focused on the specifics: Question II C1 on the stereotyped characters in ethnic media and Question II C2 on keeping religious materials which might have doctrinal disapproval.

The basic attitudes of the Midwest CLA librarians toward the retention of worthwhile media as stated in Article 2 of the Library Bill of Rights was as follows: 61.6% agreed, 23.3% disagreed, 11.6% marked OTHER, and 3.3% did not respond to this question.

One comment from those who agreed was "Yes, for academic libraries." Comments from those who disagreed were: 1) "General statement is too general: 'partisan for whom?' Whose disapproval? At no time will there be general approval." Other comments were: 2) "Too broad a statement for school libraries," 3) "In Catholic Libraries (i.e., High School

Libraries) would remove if requested by school authorities," and 4) "according to type of material."

The following were comments from the 11.6% who marked OTHER. "If a library has certain materials that a group of persons object to having on the shelf, I believe that the written library policy of the institute for the removal of materials from the shelf should be consulted." "Depends on the kind of library, public library -- yes." "Disagree on rare occasions." "In academic (Catholic) setting, we try to present all sides. However, we exist primarily to spread the Gospel and avoid loading the shelves with irrelevant materials." "No material that degrades or ignores a culture because of race should be kept or promulgated by school librarians." "Basically agree, though in specific instances removal might be justified." "Consider the one making request for material." In summary, most of these would agree to the ALA norm against removal, except upon occasion. These, together with the 61.6% who did agree, would make over two-thirds of the Catholic librarians in the Midwest in favor of this general norm. (See Table II C on p. 133).

When this general norm was applied to the specific case of ethnic groups requesting the removal of worthwhile media because of stereotyped characters, how did the Midwest CLA members respond? Fifteen percent agreed that the ethnic groups should have this right to cause removal of stereotyped characters from libraries; two comments from those people were "Stereotyping is false, unacceptable," and "stereotypes have done more to hinder the race issue."

The majority, or 70% of the Midwest librarians, disagreed that ethnic groups should have the right to cause worthwhile media to be removed from the shelves because of stereotypes, etc. Some of their comments were: "No, I do not believe any group has such a right to dictate to all others." "Not generally, but prudence must be exercised and feelings of clientele respected." "My comment is just to reiterate that the material should be worthwhile, and we should meet accepted library standards." "There may be cases of blatant lies." Finally, "The key, I presume is otherwise worthwhile."

A minority of 13.3% marked OTHER as their choice along with the following explanatory comments, "I believe that every group should have the right to object to what they consider important." "In some cases, perhaps." "Agree in part: disagree in part." "According to the type of material." "I would not agree or disagree with this statement, unless I could review the books and material." "Sometimes Blacks are more sensitive than others, and perhaps they should be allowed the right." "Dependent upon consistent 'cultural' patterns." "Not if the majority of library materials dealing with group shows a truer picture." "Do you mean about its literature or about another group?" These comments would reveal that this small group have divided opinions.

The remaining 1.7% of the returns can be traced to those who did not respond to this question.

It is clear, however, that the attitude of the majority (at least 70%) of the members of the Midwest Unit of CLA were against removing good media having ethnic stereotyped characters. This would be in agreement with Article 2 of the Bill of Rights, a general norm prohibiting material to be removed because of "partisan or doctrinal disapproval." (See Table II C1 on p. 133).

A second specific question dealing with the same norm was Question II C2, but it dealt with the controversial issue of whether or not religious groups should have the right to cause to be removed from libraries those materials which have their doctrinal disapproval. The results were 18.3% agreed, 68.3% disagreed, and 10% had OTHER, and 3.3% had not responded.

Comments from those who agreed to this question included: "In our libraries;" "If the religious group is supporting the library;" "If it is a sectarian library;" "Yes, in some cases at least, depends on whether or not it is a public library;" and also "If immorality is the object at issue."

Those who disagreed had this to say: "Both sides of even this issue should be available." "If some have the right, all should. What would be left?" "No, but there are exceptions, e.g., books advocating abortions." "Disagree in general. Circumstances may dictate otherwise." "My comment is just to reiterate that the material should be worthwhile, and should meet accepted library standards." "Others may agree with the materials." "Disagree if doctrine is falsified." "Disagree if ½ of the material is shown to be full of misinformation, it should be known."

The 10% who marked OTHER had these comments: "This depends on the tone and type of materials;" "No, for public libraries under certain circumstances. Yes, agree for Catholic colleges," "Review the material by a group of different types of people and professions," "Depends on what is found objectionable." "If you consider the cuffers a religious group, then the answer is no." And "Define doctrinal." These answers were mixed in opinions.

In conclusion, over two-thirds of the Midwest unit of CLA would agree with Article 2 of the Library Bill of Rights that religious groups do not have the right to remove materials which have their doctrinal disapproval. By providing such media, librarians have made available various viewpoints from which patrons can draw their own conclusions. (See Table II C 2 on p. 133).

Third Question

The aim of the third question, II D, E, and F, was to establish how Midwest CLA librarians felt toward ALA's original and revised Document, Freedom to Read, regarding censorship of obscene materials. Question II D zeroed in on the actual ALA statement on censorship seeking the number of respondents who would agree with the original, 1953 Freedom to Read statement, as opposed to its 1972 revision. Question II E attempted to discover the number of the population in this study who agreed with the 1973 United States Supreme Court criteria for defining a work obscene. Then, the last part, II F, tried to determine the number of librarians who had been misinformed during this decade on the false norm for defining an object obscene. All were pertinent to the study on censorship.

The results showed that Midwest CLA members were very divided in their preferences for the original or revised statements from Freedom to Read in regard to obscenity. One half favored the revised statement; those who chose the original were 35%; and the remaining 15% divided between OTHER (10%) and no answer (5%). Since these figures showed that "the house was divided," a look at some of the comments may prove enlightening.

There were no comments for the first choice, (prefer original document). As for the second choice, (prefer revised edition), there were these three notes: first, "I am opposed to the word 'vigorously' in #1 ... it brings to mind a rampaging Carrie Nation type figure." Second, "Bad laws do not necessarily need enforcing;" and the third comment may have been more of a question: "... (or to inhibit the efforts of writers to achieve artistic expression?)' Apparently, the first note refered to someone who could have accepted the first choice had the word "vigorously" been deleted, and perhaps others had a similar reaction. The second person must have felt that "the present laws" are "bad laws", thus, his choice for option 2. Only a small, but important glimpse of the reasoning for differences was gained here. Perhaps a look at the comments presented with the third choice, OTHER, will add further light.

One person felt neither choice 1 nor 2 was clear and so wrote "ambiguous." A second respondent wrote, "I believe that everyone has the right to read what he/she wishes but I do not believe that it is the duty of Catholic colleges to supply pornographic materials." The next person had a similar message: "There is a place in our society for control of the vicious exploitation of prurient interest and for consideration of the majority who do not subscribe to amorality. Tolerance should never be sacrificed, however, nor should good taste. Balance is necessary." The next person felt that option No. 1 was incomplete:

> "Retain first sentence of 1 (The original 1953 Freedom to Read). But what are the present laws? These should be spelled out. If obscene, (it's) not truly artistic,

> not true to art, to integrity. Who wishes to confine adults to the reading matter deemed suitable for adolescents? For whom is obscenity 'suitable'? When in doubt, keep it out."

The final note was a question: "Who is to decide what is artistic and in good taste?"

Perhaps it was significant that the last comment was a question, because the divided results demonstrate that this area of concern for those who desire only high quality of media versus those who desire mostly to insure the right of freedom of speech remains unresolved. As one person commented above, "Balance is necessary." (See Table II D on p. 134).

One of the comments for the previous question asked, "What are the present laws (dealing with obscenity)?", thus a reason for including question E, which presented the three criteria for defining something obscene as determined by the 1973 United States Supreme Court ruling. The aim was to delineate the attitude of Midwest CLA members toward it. Again, the unit was divided, but not so severely as in Question D. Over half, 55%, agreed with the Court norms. Only one fourth, 25% disagreed, while 10% marked OTHER and 10% did not answer. Once again, an overview of the comments might suggest some possible reasons for the variation of response.

The only comment with the choice Agree was an arrow pointing to the third criteria, which this researcher interpreted as, "Agree, especially with norm 3: 'the work taken as a whole, lacks serious literary, artistic political, or scientific value.' " In a similar way, the first comment with Disagree, was based on a marking, for the person had underlined the part that stated "specifically defined by the applicable state law" and added this note: "so vague ... open to subjective interpretation." A second respondent gave a similar response, "The criteria is value and not fair, non-applicable." The last response was, "Not for elementary or secondary," and hopefully such criteria would not be necessary at those age levels; but the issue of child pornography has been in the Press recently.

In the comments on OTHER, three viewpoints were expressed: first, the person who had found the phase, "taken as a whole," in criteria 1 and 3 good, underlined them, and wrote "1 and 3 O.K., but No. 2 leaves too much to archaic, unenlightened laws of some states." Opposite from that outlook was the respondent who wrote, "Have trouble with the phrase 'taken as a whole'; portions of a work can be obscene, yet if they were omitted, the work would be complete and not objectionable." Then the third and fourth persons had their own similar views: "I'm not sure what I think about this (1973 U. S. Supreme Court definition of obscenity)" and "don't really understand it well enough to agree or disagree." Perhaps these last two comments could be clues to the increase of 10% (from the usual 3.3% or 5% of those who did not respond) for this question; (maybe not enough understanding of the legal language to respond). See Table II E on p.134).

Connected with the definition of obscenity was a brief norm circulating in the early 1970's as the norm for determining an object obscene. It was stated: "the work, taken as a whole, lacks socially redeeming qualities." The aim of Question II F was to determine the number of Midwest CLA librarians who had been misled by this false norm. However, the responses, agree and disagree, for this question were not correct for F on the questionnaire, (except on the pilot and the second questionnaires); they should have been "yes" and "no". From the nature of the question, some respondents discovered the error and just wrote in "yes" and "no"; others answered "agree" or "disagree" or "other". Consequently the results for this question were mixed: Agree, 23.3%; Disagree, 18.3%; yes, 23.3%; no, 26.7%; other, 3.3%; and blank, 5%. The only meaningful responses, then, were those for Yes, No and Other, and they would most likely be incomplete since some of those who answered Agree and Disagree would have marked YES or NO if it had been on their sheets.

Nevertheless, it is significant that 23.3% of the respondents, almost one fourth, had been informed that the brief statement quoted above was the norm, when it has never been a Supreme Court majority opinion (for more on this see "Review of the Literature" in Chapter IV of this paper.)

The comments on this question reinforced the mixed results. One person who disagreed with the norm itself, said that it was "too vague." There were four comments from persons who had heard or read about the norm before. The first one was unsure about the question (probably because it asked for a yes/no response, but it had AGREE, DISAGREE for choices -- an error of this researcher): "Question is not clear. (Agree), I think -- that is, I have heard the statement as a norm." The second person knew that he/she "had heard and read the above statement, but (wrote) I do not agree with it. Who makes the decision?" The third person responded "Yes, but this is not in effect in the 1973 United States Supreme Court Guidelines." The fourth person circled the word, "heard" and then added two questions, "but, then, what is 'socially redeeming' and in what or whose context?"

As for comments from persons who had not heard or read the norm before, one simply stated that fact: "have not heard nor read". However, the second person had a lengthy general comment:

> "In weighing the merits of a book I have heard it stated, and I agree, that an isolated passage or two that is offensive should be balanced with the general purpose and literary worth of the book. Such passages can generally be handled in a mature way by adults..."

The only comments under OTHER were two brief statements: 1) "I do not recall," and 2) "May be too vague." The first response referred to the Yes/No part of the question. The last one referred to the norm itself.

Since so many librarians had heard or read the false statement as the true norm it seems probable that either the training of these librarians and/or the literature for librarians has been influenced by some propaganda. (See "Review of the Literature" for more details.) (See Table II F on p.135).

Fourth Question

The theory of intellectual freedom is important, for unless it is practiced, it remains words. Thus, the purpose of the fourth set of questions was to detect how many of the Midwest CLA librarians were using methods transferring the theory into practice.

The first question of a series asked, "Do you have a book selection policy?" Over two-thirds (68.3%) responded "Yes," while 18.3% marked "No." A higher than usual percentage, 11.7%, chose OTHER, and 1.7% did not care to answer the question.

Before looking at some of the comments given for this question, it might help the reader to understand that one purpose of such a selection policy is to obtain media needed to balance the library holdings, even in controversial areas. As for the comments, one librarian who had responded "Yes" (and had misplaced the book selection policy she had written in library school), wrote, "Now rely on that approved by the Board of Directors of the AASL (American Association of School Librarians) at the ALA Midwinter Conference in Chicago, 1970."

Two persons who responded "No" had these comments: "Small Library ... Standard of High School Library Reading," and "Discretion of the librarian," as norms for selecting books and other materials.

Under OTHER, there were seven comments, two of which indicated that they were "in the process of formulating" and "working on putting it down (in writing)." Another two mentioned that they selected media in cooperation with faculty members and within a budget, but with the aim of building balanced collections. A similar remark was: "Supports the college curriculum." The sixth one stated, "Not a written one," and the last one said, "As an assistant, I would not know ... (if we have such a policy)." From these seven statements six revealed that they possibly could have been counted as "Yes" responses; however, since they were marked OTHER, they were not counted as "Yes."

From the number who responded "Yes" to the previous general question, the first specific inquiry asked: how many have a policy a) "written" or b) "unwritten, but understood"; the responses were 28.3% "written" and 40% "unwritten, but understood." Another 9 persons had comments under OTHER, but they probably could have gone under response b) "unwritten, but understood." Since question IV A1 was dependent on the response in IV A, however, the nine responses could not be counted.

The next question asked those who had a written policy to mark who wrote it: a) "one person" or b) "More than one person." To recall, 28.3% had marked that they had a written policy. Of them, 10% claimed one author and 18.3% more than one author. There was a worthwhile comment by one librarian who marked "a) 'One person'": "Actually, I studied six other selection policies before writing one... So my policy is not original but the best of what others had to offer." For the 10% who claimed one author for the selection policy, the responses to question IV A3 determined that in each case the author was a librarian. Of the 18.3% who claimed more than one author, the members of the team effort included 18.3% librarians, 13.3% administrators, 8.3% other adults (peer/parents), 1.7% youth, and 3.3% other (trustees and patrons) (and) (faculty members). The advantage of having more than one person for the author would hopefully be a more practical, well-rounded selection policy than would be possible by one author. Over half (18.3%) with a written policy must have found this to be true. (See Table IV A on p. 136).

Another purpose for this question was to see how many librarians consulted youth to help determine the book selection policy -- only 1.7%. Surely, young people should have some voice in the policy.

A second method for practicing the theory of intellectual freedom would be to have an ongoing book selection committee. This committee would submit books (media) to be purchased and would prevent building the collection on the personal bias of one librarian. For Question IV B, 13.3% responded "Yes" they had such a committee and 71.6% answered, "No". Other choices accounted for 3.3% and 11.7% did not answer it.

Comments for the question dealing with a book selection committee were varied. One from those who had marked "Yes" wrote, "Yes, but informally organized now -- working on development"; the other person with such a committee remarked: "Faculty members, librarians, staff, students may request books. The head librarian reviews their requests and makes the final selection based on present holdings in the subject area, finances, etc."

Comments from the opposite poll -- those with no book selection committee, revealed either the desire for one ("Requested one, no response" and "This is what I would like to have soon") or the reality already present: 3 comments mentioned that "Teachers suggest books." A similar statement showed, "All department heads and all library staff members submit cards." Two other comments under OTHER mentioned "Librarian and teacher's requests" and "Faculty." Perhaps the question should have been, "Do you have an ongoing book selection committee (e.g., faculty members)?" Then the results might have been reversed, "Yes" 71.6% and "No" 13.3%, for what library is not open to requests!

A third practical means for insuring intellectual freedom has been to adopt a definite policy to present to patrons who complain about media and desire it to be removed from the shelves. The aim of Question IV C was to discover how many Midwest CLA libraries had a similar policy. Nearly one fourth of the respondents (23.3% marked "Yes". Over half (60%) answered "No". Only 6.7%

had OTHER responses, and 10% had nothing to say on this topic. From the comments which follow, several would question the need for such a policy.

Two persons, who marked that they do have a complaint policy, commented that they have had "no need of one" and "have had no occasion for using this." One of these persons gave her source "... have one adopted from The Students' Right to Read, 1972 NCTE (National Council of Teachers of English)." Likewise, one person who marked he had no such policy, stated "Seldom happens. Maybe once a year or less"; when it does happen, "The library board considers each complaint individually." The other person who marked "No" added, "In the process of forming."

The four comments under OTHER were mixed: 1) "Grade schools have no such problems;" 2) "We ask them to write their complaints -- still preparing the policy on acquisitions and also the complaint policy;" 3) "Working on one;" and 4) "Question not clear." Although the need for such a policy was questioned because of limited frequency, the advantage would be having a set policy for whenever necessary. (See Table IV B and C on p. 137).

Fifth Question

An overwhelming majority (65%) responded "Agree" to the fifth question, "Do you agree that all American Library Association members should have some voice in approving ALA policies before their final adoption?" Another 6.7% disagreed, still 5% marked OTHER, and 3.3% were blank.

The thinking behind this question was sparked by the results of the research done with librarians by others who have discovered that librarians often differed in what they professed and in what they did. The question then arose who was making the policies for librarians if they tended to disagree with them? It seemed proper that librarians should have some voice in the national ALA decisions about themselves.

Only three comments were given with the results for this question. One felt that "those qualified" should have some input, but the other two disagreed strongly, "Not enough time, would slow things up too much," and "We would never arrive at any policy, would we?"

Nevertheless 85% supported the theory of this researcher that common individual librarians should have some means to feed views into ALA before the national few make policies for the many members. (See Table III on p. 135).

Conclusion

In past research, Marjorie Fiske discovered that librarians practiced censorship 1) when selecting materials or 2) by putting them on reserve behind the desk until requested for use by a patron. The results of the present research showed that a majority (68.3%) of the respondents have selection policies (either written or unwritten) to safeguard against this weakness. The large number with such policies happily surprised this researcher. Furthermore, a few, 13.3%, marked that they had ongoing book selection committees, but many more said that their selections were often based on faculty or patron requests, which this researcher considers a type of ongoing committee to select books. With their recommendations, the librarian will be less likely to purchase only media dealing with his/her own interests.

Just as Charles H. Busha's research showed that most of the librarians involved in his study favored the concept of intellectual freedom, so did this study indicate that most of all Midwest CLA librarians (over 80%) agreed with the theory (provision in libraries of materials on all sides of controversial issues). Yet Busha's study found that in practice, two thirds of the same librarians ~~were~~ neutral to censorship, one fifth strongly opposed it, and some even favored it. Similarly, in the present research about two thirds favored no censorship for controversial political, religious, or social issues. The other third were mixed in their responses, some believing in censorship for certain controversial media.

In conclusion, this librarian was happy to know that she was not alone in her theory that libertarianism was creeping into American Library Association via some revisions of their Documents on intellectual freedom. Some 35% preferred the original statement in Freedom to Read in regard to censorship of obscene materials, although 50% chose the second, or revised, version, while 10% had other comments and 5% chose not to respond. With such diverse opinions in the Midwest Unit, it will be quite a challenge to draft a statement on the theory and the practice of intellectual freedom for the Unit. Perhaps, it will have to be presented as an ideal which member librarians will strive to fulfill whenever possible.

A further related area which the Midwest Unit might consider would be a statement on the rapidly progressing problem of violence in our media and its contagious effect on individuals and society as a whole. Feedback from members could be obtained at the next general meeting, Fall, 1977.

When the statement(s) on the above topics have been accepted by the Midwest Unit, they could be published in the national CLA periodical, Catholic Library World, to spark the viewpoints of other units and possibly a national CLA statement would be the end result.

FOOTNOTES

1. American Library Association: Office for Intellectual Freedom, Intellectual Freedom Manual (Chicago: American Library Association, 1974), p. xvii.

2. *Ibid*., Part 1, pp. 4-5.

3. *Ibid*., Part 2, pp. 5-10.

4. *Ibid*., Part 2, p. 22.

5. *Ibid*., Part 1, p. 11.

6. *Ibid*., Part 2, pp. 14-19.

7. *Ibid*., Part 2, p. 25

8. *Ibid*., Part 1, pp. 13-50.

9. "Officers, Membership, Organization," Catholic Library World, XLVII (Jan., 1976), p. 247.

10. "Constitutions and Bylaws," Catholic Library World, XLVII (Jan., 1976), p. 251.

11. "Officers, Membership, Organization," *op. cit*., p. 247.

12. Based on personal correspondence between Matthew R. Wilt, Executive Director of the Catholic Library Association and the writer of this research, July 15, 1975.

13. American Library Association, *op. cit*., Part 1, p. 4.

14. *Ibid*., Part 2, p. 7.

15. *Ibid*., Part 2, p. 22.

16. *Ibid*., Part 1, p. 25.

17. *Ibid*., Part 1, p. 13.

18. *Ibid*., Part 1, pp. 25-29.

19. *Ibid*., Part 2, p. 8.

20. *Ibid*., Part 2, p. 17.

21. Patrick Williams and Joan T. Pearce, "Communication Controls and Censorship," Catholic Library World, October, 1974, p. 117.

22. *Ibid*.

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23. Ibid.

24. Ibid.

25. American Library Association, op. cit., Part 1, pp.18-21.

26. Congressional Quarterly Weekly, October 23, 1970, p. 2619.

27. Mrs. Mona Alexander and Carl Hempstead, The Media Center: Philosophy, Purposes, Program Materials Selection and Written Policies. (Topeka: Kansas State Department of Education, Division of Instruction, Curriculum Section, August, 1976).

28. Webster's New Collegiate Dictionary, based on Webster's New International Dictionary, 2nd ed., (Springfield, Illinois: G. & C. Merriam Co., 1959) pp. 57-58.

29. Ibid., p. 134.

30. Ibid., p. 331.

31. Ibid., p. 437.

32. Morton A. Hill and Winfrey C. Link, "The Hill-Link Minority Report of the Presidential Commission on Obscenity and Pornography," in The Report of the Commission on Obscenity and Pornography by the U.S. Commission on Obscenity and Pornography. (Washington, D.C.: U.S. Government Printing Office, 1970) p. 432.

33. Ibid., p. 431.

34. "Miller v. California," Morality in Media Newsletter, XII (October, 1973), p. 2.

35. U.S. Commission on Obscenity and Pornography. The Report of the Commission on Obscenity and Pornography (U.S. Government Printing Office, Sept. 1970) p. 3.

36. Henry Steele Commager. Freedom, Loyalty, Dissent (New York: Oxford University Press, 1954), pp. 76-77.

37. American Library Association, op. cit., Part I, p. 8.

38. Ibid., Part I, p. 11.

39. Ibid., Part II, p. 4.

40. Ibid.

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41. *Ibid*., Part II, p. 5.

42. *Ibid*.

43. *Ibid*.

44. *Ibid*., Part II, p. 8.

45. *Ibid*.

46. *Ibid*.

47. *Ibid*., Part II, p. 10.

48. *Ibid*., Part II, pp. 10-11.

49. *Ibid*., Part II, p. 13.

50. *Ibid*.

51. *Ibid*., Part II, p. 22

52. *Ibid*., Part II, pp. 25-26.

53. *Ibid*., Part I, p. 13.

54. *Ibid*., Part I, pp. 16-17.

55. *Ibid*., Part I, p. 22.

56. *Ibid*., Part I, p. 24.

57. *Ibid*., Part I, pp. 27-29.

58. *Ibid*., Part I, p. 31.

59. *Ibid*., Part I, pp. 36-38.

60. *Ibid*., Part I, p. 41.

61. *Ibid*., Part I, pp. 43-45.

62. Ibid., Part I, pp. 47-50.

63. George P. Elliott, "Against Pornography." *Harper's Magazine*, vol. 230 (March, 1965), p. 59.

64. *Ibid*.

65. Hill-Link Minority Report, *op. cit*., p. 431.

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66. Ralph I. Lowenstein, "The Legal Testing of Obscenity," in _Censorship in the United States_, ed. Grant S. McClellan (_The Reference Shelf_), vol. 39, no. 3 (New York: H.W. Wilson Company, 1967), pp. 55-56.

67. Hill-Link Minority Report, _op. cit_., p. 431.

68. _Ibid_.

69. _Ibid_.

70. _Ibid_.

71. Lowenstein, _op. cit_., p. 68.

72. _Ibid_., p. 67.

73. _Ibid_.

74. _Ibid_.

75. _Ibid_., p. 56.

76. Hill-Link Minority Report, _op. cit_., p. 431.

77. _Ibid_.

78. U.S. Commission on Obscenity and Pornography, _op. cit_., Title Page, p. 1.

79. _Ibid_.

80. _Ibid_., pp. 11-17.

81. _Ibid_., p. 19.

82. _Ibid_., p. 20.

83. _Ibid_., p. 21.

84. _Ibid_., p. 24.

85. _Ibid_.

86. _Ibid_., p. 25.

87. _Ibid_., p. 26.

88. _Ibid_., p. 27. (*"Commissioners G. William Jones, Joseph T. Klapper, and Morris A. Lipton believe 'that in the interest of precision a distinction should be made between two

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types of statements which occur in this Report. One type, to which we subscribe, is that research to date does not indicate that a causal relationship exists between exposure to erotica and the various social ills to which the research has been addressed. There are, however, also statements to the effect that "no evidence" exists, and we believe these should more accurately read "no reliable evidence."...'"

89. *Ibid*., p. 30.

90. *Ibid*.

91. *Ibid*., p. 34.

92. *Ibid*., P. 33.

93. *Ibid*., p. 357.

94. *Ibid*., p. 352.

95. *Ibid*.

96. *Ibid*.

97. *Ibid*., p. 363.

98. *Ibid*., p. 356.

99. *Ibid*., p. 365.

100. *Ibid*.

101. *Ibid*., p. 367.

102. *Ibid*.

103. *Ibid*.

104. *Ibid*., p. 390.

105. *Ibid*., p. 391.

106. *Ibid*.

107. *Ibid*., p. 390.

108. *Ibid*., pp. 391-397.

109. *Ibid*., p. 398.

110. *Ibid*., p. 410.

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111. *Ibid*., p. 388.

112. *Ibid*., p. 412.

113. *Ibid*., p. 413.

114. *Ibid*.

115. *Ibid*., p. 415.

116. *Ibid*.

117. *Ibid*., p. 416.

118. *Ibid*., p. 415.

119. *Ibid*., p. 448.

120. *Ibid*.

121. *Ibid*., p. 449.

122. *Ibid*., p. 448.

123. *Ibid*., p. 418.

124. "Miller v. California," *op. cit*., p. 1.

125. *Ibid*., p.2.

126. *Ibid*.

127. "States May Move Now Under Miller Decision," *Morality in Media Newsletter*, XII (October, 1973), p. 3.

128. "Paris Adult Theater I v. Slaton," *Morality in Media Newsletter*, XII (October, 1973), pp. 2-3.

129. *Ibid*., p. 3.

130. *The Hill-Link Minority Report* reprinted from "The Report of the Commission on Obscenity and Pornography,"(a publication of the United States Government) by Morality in Media, Inc., Introduction, p. iii.

131. "How to Ban a Dirty Book," *U.S. Catholic*,(August, 1976), pp. 13-18.

132. "SLJ Editorial: No Easy Answers," *School Library Journal*,(March, 1976), p. 53.

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133. Ibid.

134. Marjorie Fiske. Book Selection and Censorship: A Study of School and Public Libraries in California (Berkeley and Los Angeles: University of California Press, 1960), p. 2.

135. Ibid., p. 66.

136. Ibid., p. 68.

137. Charles H. Busha. Freedom versus Suppression and Censorship: With a Study of the Attitudes of Midwestern Public Librarians and a Bibliography of Censorship (Littleton, Colorado: Libraries Unlimited, Inc., 1972), p. 139.

138. Ibid.

139. Ibid., p. 147.

140. Ibid., p. 145.

141. Ibid., p. 146.

142. Bradbury, op. cit., p. 35.

143. Ibid., p. 30.

144. Paul Howard Jackson. "A Study of the Attitudes of the American Christian Denominations' Views Toward Intellectual Freedom." (unpublished Master's research project, Dept. of Librarianship, Kansas State Teachers College, Emporia, Kansas: May, 1974), p. 1.

145. Ibid.

146. Ibid.

147. U.S. Congress. Congressional Quarterly Weekly, (October 23, 1970), p. 2619.

148. Ibid.

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APPENDICES

A. Documents by the American Library Association.

B. Sample Questionnaire With Raw Data.

C. Tabular Results of Questionnaire Survey

Appendix A. Documents by the American Library Association.

1. Library Bill of Rights.
2. Freedom to Read.
3. School Library Bill of Rights.

LIBRARY BILL OF RIGHTS

Revised ed.

Adopted by the American Library
Association Council
June 18, 1948.

The Council of the American Library Association reaffirms its belief in the following basic policies which should govern the services of all libraries.

1. As a responsibility of library service, books and other reading matter selected should be chosen for values of interest, information and enlightenment of all the people of the community. In no case should any material be excluded because of race or nationality, or the political or religious views of the writer.

2. There should be the fullest practicable provision of material presenting all points of view concerning the problems and issues of our times, international, national, and local; and books or other reading matter of sound factual authority should not be proscribed or removed from library shelved because of partisan or doctrinal disapproval.

3. Censorship of books, urged or practiced by volunteer arbiters of morals or political opinion or by organizations that would establish a coercive concept of Americanism, must be challenged by libraries in maintenance of their responsibility to provide public information and enlightenment through the printed word.

4. Libraries should enlist the cooperation of allied groups in the fields of science, of education, and of book publishing in resisting all abridgement of the free access to ideas and full freedom of expression that are the tradition and heritage of Americans.

5. As an institution of education for democratic living, the library should welcome the use of its meeting rooms for socially useful and cultural activities and discussions of current public questions. Such meeting places should be available on equal terms to all groups in the community regardless of the beliefs and affiliations of their members.

Amended February 2, 1961 and
June 27, 1967 by the
American Library Association Council.

The Council of the American Library Association reaffirms its belief in the following basic policies which should govern the services of all libraries.

1. As a responsibility of library service, books and other library materials selected should be chosen for values of interest, information and enlightenment of all the people of the community. In no case should library materials be excluded because of the race or nationality or the social, political, or religious views of the authors.

2. Libraries should provide books and other materials presenting all points of view concerning the problems and issues of our times; no library materials should be proscribed or removed from libraries because of partisan or doctrinal approval.

3. Censorship should be challenged by libraries in the maintenance of their responsibility to provide public information and enlightenment.

4. Libraries should cooperate with all persons and groups concerned with resisting abridgement of free expression and free access to ideas.

5. The rights of an individual to the use of a library should not be denied or abridged because of his age, race, religion, national origins or social or political views. (New [illegible])

6. As an institution of education for democratic living, the library should welcome the use of its meeting rooms for socially useful and cultural activities and discussion of current public questions. Such meeting places should be available on equal terms to all groups in the community regardless of the beliefs and affiliations of their members, provided that the meetings be open to the public.

THE FREEDOM TO READ
1953

A statement prepared by the Westchester Conference of the American Library Association and the American Book Publishers Council -- May 2 and 3, 1953. The statement has been endorsed by the American Book Publishers Council, Board of Directors; the American Library Association Council; the American Booksellers Association Board of Directors; the National Commission for the Defense of Democracy through Education, Appointed by the National Education Association of the U.S.A.; the Book Manufacturers' Institute.

The freedom to read is essential to our democracy. It is under attack. Private groups and public authorities in various parts of the country are working to remove books from sale, to censor textbooks, to label "controversial" books, to distribute lists of "objectionable" books or authors, and to purge libraries.

These actions apparently rise from a view that our national tradition of free expression is no longer valid; that censorship and suppression are needed to avoid the subversion of politics and the corruption of morals. We, as citizens devoted to the use of books and as librarians and publishers responsible for disseminating them, wish to assert the public interest in the preservation of the freedom to read.

We are deeply concerned about these attempts at suppression. Most such attempts rest on a denial of the fundamental premise of democracy: that the ordinary citizen, by exercising his critical judgment, will accept the good and reject the bad. The censors, public and private, assume that they should determine what is good and what is bad for their fellow citizens.

[illegible]st Americans to recognize propaganda, and to reject obscenity. We do not believe they need the help of censors to assist them in this task. We do not believe they are prepared to sacrifice their heritage of a free press in order to be "protected" against what others think may be bad for them. We believe they still favor free enterprise in ideas and expression.

We are aware, of course, that books are not alone in being subjected to efforts at suppression. We are aware that these efforts are related to a larger pattern of pressures being brought against education, the press, films, radio, and television. The problem is not only one of actual censorship. The shadow of fear cast by these pressures leads, we suspect, to an even larger voluntary curtailment of expression by those who seek to avoid controversy.

Such pressure toward conformity is perhaps natural to a time of uneasy change and pervading fear. Especially when so many of our apprehensions are directed against an ideology, the expression of a dissident idea becomes a thing feared in itself, and we tend to move against it as against a hostile deed, with suppression.

And yet suppression is never more dangerous than in such a time of social tension. Freedom has given the United States the elasticity to endure strain. Freedom keeps open the path of novel and creative solutions, and enables change to come by choice. Every silencing of a heresy, every enforcement of an orthodoxy, diminishes the toughness and resilience of our society and leaves it the less able to deal with stress.

Now as always in our history, books are among our greatest instruments of freedom. They are almost the only means for making generally available ideas or manners of expression that can initially command only a small audience. They are the natural medium for the new idea and the untried voice, from which come the original contributions to social growth. They are essential to the extended discussion which serious thought requires, and to the accumulation of knowledge and ideas into organized collections.

We believe that free communication is essential to the preservation of a free society and a creative culture. We believe that these pressures toward conformity present the danger of limiting the range and variety of inquiry and expression on which our democracy and our culture depend. We believe that every American community must jealously guard the freedom to publish and to circulate, in order to preserve its own freedom to read. We believe that publishers and librarians have a profound responsibility to give validity to that freedom to read by making it possible for the reader to choose freely from a variety of offerings.

The freedom to read is guaranteed by the Constitution. Those with faith in free men will stand firm on these constitutional guarantees of essential rights and will exercise the responsibilities that accompany these rights.

The Propositions

We therefore affirm these propositions:

1. It is in the public interest for publishers and librarians to make available the widest diversity of views and expressions, including those which are unorthodox or unpopular with the majority.

Creative thought is by definition new, and what is new is different. The bearer of every new thought is a rebel until his idea is refined and tested. Totalitarian systems attempt to maintain themselves in power by the ruthless suppression of any concept which challenges the established orthodoxy. The power of a democratic system to adapt to change is vastly strengthened by the freedom of its citizens to choose widely from among conflicting opinions offered freely to them. To stifle every nonconformist idea at birth would mark the end of the democratic process. Furthermore, only through the constant activity of weighing and selecting can the democratic mind attain the strength demanded by times like these. We need to know not only what we believe but why we believe it.

2. Publishers and librarians do not need to endorse every idea or presentation contained in the books they make available. It would conflict with the public interest for them to establish their own political, moral, or aesthetic views as the sole standard for determining what books should be published

THE FREEDOM TO READ
(cont)

Publishers and librarians serve the educational process by helping to make available knowledge and ideas required for the growth of the mind and the increase of learning. They do not foster education by imposing as mentors the patterns of their own thought. The people should have the freedom to read and consider a broader range of ideas than those that may be held by any single librarian or publisher or government or church. It is wrong that what one man can read should be confined to what another thinks proper.

3. It is contrary to the public interest for publishers or librarians to determine the acceptability of a book solely on the basis of the personal history or political affiliations of the author.

A book should be judged as a book. No art or literature can flourish if it is to be measured by the political views or private lives of its creators. No society of free men can flourish which draws up lists of writers to whom it will not listen, whatever they may have to say.

4. The present laws dealing with obscenity should be vigorously enforced. Beyond that, there is no place in our society for extra legal efforts to coerce the taste of others, to confine adults to the reading matter deemed suitable for adolescents, or to inhibit the efforts of writers to achieve artistic expression.

To some, much of modern literature is shocking. But is not much of life itself shocking? We cut off literature at the source if we prevent serious artists from dealing with the stuff of life. Parents and teachers have a responsibility to prepare the young to meet the diversity of experiences in life to which they will be exposed, as they have a responsibility to help them learn to think critically for themselves. These are affirmative responsibilities, not discharged simply by preventing them from reading works for which they are not yet prepared. In these matters taste differs, and taste cannot be legislated; nor can machinery be devised which will suit the demands of one group without limiting the freedom of others. We deplore the catering to the immature, the retarded, or the maladjusted taste. But those concerned with freedom have the responsibility of seeing to it that each individual book or publication, whatever its contents, price, or method of distribution, is dealt with in accordance with due process of law.

5. It is not in the public interest to force a reader to accept with any book the prejudgment of a label characterizing the book or author as subversive or dangerous.

The idea of labeling supposes the existence of individuals or groups with wisdom to determine by authority what is good or bad for the citizen. It supposes that each individual must be directed in making up his mind about the ideas he examines. But Americans do not need others to do their thinking for them.

6. It is the responsibility of publishers and librarians, as guardians of the people's freedom to read, to contest encroachments upon that freedom by individuals or groups seeking to impose their own standards or tastes upon the community at large.

It is inevitable in the give and take of the democratic process that the political, the moral, or the aesthetic concepts of an individual or group will occasionally collide with those of another individual or group. In a free society each individual is free to determine for himself what he wishes to read, and each group is free to determine what it will recommend to its freely associated members. But no group has the right to take the law into its own hands, and to impose its own concepts of politics or morality upon other members of a democtatic society. Freedom is no freedom if it is accorded only to the accepted and the inoffensive.

7. It is the responsibility of publishers and librarians to give full meaning to the freedom to read by providing books that enrich the quality of thought and expression. By the exercise of this affirmative responsibility, bookmen can demonstrate that the answer to a bad book is a good one, the answer to a bad idea is a good one.

The freedom to read is of little consequence when expended on the trivial; it is frustrated when the reader cannot obtain matter fit for his purpose. What is needed is not only the absence of restraint, but the positive provision of opportunity for the people to read the best that has been thought and said. Books are the major channel by which the intellectual inheritance is handed down, and the principal means of its testing and growth. The defense of their freedom and integrity, and the enlargement of their service to society, requires of all bookmen the utmost of their faculties, and deserves of all citizens the fullest of their support.

* * * * * *

We state these propositions neither lightly nor as easy generalizations. We here stake out a lofty claim for the value of books. We do so because we believe that they are good, possessed of enormous variety and usefulness, worthy of cherishing and keeping free. We realize that the application of these propositions may mean the dissemination of ideas and manners of expression that are repugnant to many persons. We do not state these propositions in the comfortable belief that what people read is unimportant. We believe rather that what people read is deeply important; that ideas can be dangerous; but that the suppression of ideas is fatal to a democratic society. Freedom itself is a dangerous way of life, but it is ours.

SCHOOL LIBRARY BILL OF RIGHTS

Accepted by the American Association of School Librarians
Midwinter Meeting, 1955

School libraries are concerned with generating understanding of American freedoms and with the preservation of these freedoms through the development of informed and responsible citizens. To this end the American Association of School Librarians reaffirms the "Library Bill of Rights" of the American Library Association and asserts that the responsibility of the school library is:

To provide materials that will enrich and support the curriculum, taking into consideration the varied interests, abilities, and maturity levels of the pupils served;

To provide materials that will stimulate growth in factual knowledge, literary appreciation, aesthetic values, and ethical standards;

To provide a background of information which will enable pupils to make intelligent judgements in their daily life;

To provide materials on opposing sides of controversial issues so that young citizens may develop under guidance the practice of critical reading and thinking;

To provide materials representative of the many religious, ethnic, and cultural groups, and their contributions to our American heritage; and

To place principle above personal opinion and reason above prejudice in the selection of materials of the highest quality in order to ensure a comprehensive collection appropriate for the users of the library.

Source: Intellectual Freedom Manual, by American Library Association. Office for Intellectual Freedom. Chicago: ALA, 1974.

Revised ed. (new title)

for School Library Media Center Programs. Approved by the American Association of School Librarians Board of Directors in 1969.

The American Association of School Librarians reaffirms its belief in the "Library Bill of Rights" of the American Library Association. Media personnel are concerned with generating understanding of American freedoms through the development of informed and responsible citizens. To this end the American Association of School Librarians asserts that the responsibility of the school library media center is:

To provide a comprehensive collection of instructional materials selected in compliance with basic written selection principles, and to provide maximum accessibility to these materials;

To provide materials that will support the curriculum, taking into consideration the individual's needs, and the varied interests, abilities, socioeconomic backgrounds, and maturity levels of the students served;

To provide materials for teachers and students that will encourage growth in knowledge, and that will develop literary, cultural and aesthetic appreciation, and ethical standards;

To provide materials which reflect the ideas and beliefs of religious, social, political, historical, and ethnic groups and their contribution to the American and world heritage and culture, thereby enabling students to develop an intellectual integrity in forming judgements;

To provide a written statement, approved by the local boards of education, of the procedures for meeting the challenge of censorship of materials in school library media centers; and

To provide qualified professional personnel to serve teachers and students.

Appendix B. Sample Questionnaire with Raw Data.

1. Cover Letter.
2. Questionnaire with Raw Data (number of persons who responded to each question).

EMPORIA KANSAS STATE COLLEGE
1200 COMMERCIAL / EMPORIA, KANSAS 66801 / TELEPHONE (316) 343-1200

March 16, 1977

Dear Librarian:

Enclosed is a questionnaire which asks your opinion on intellectual freedom. The ideas are taken from three documents issued under the aegis the American Library Association (ALA); they are: The Freedom to Read, the Library Bill of Rights, and the School Library Bill of Rights. This study will attempt to identify basic principles which librarians and the ALA consider essential in practicing the theory of intellectual freedom. I would appreciate it if you would take time to complete the questionnaire, since the validity of the results will depend, in part, on the number of responses received. For your convenience, a check mark in the proper place will usually suffice for the answer. Futhermore, as a member of the Midwest Unit of Catholic Library Association, your input now can help formulate a statement on the topic for our area.

Also, this research is being conducted in connection with my studies at the School of Library Science at Emporia Kansas State College.

Please return your questionnaire in the enclosed stamped self-addressed envelope by April 9, 1977. All information from your response will be confidential. If you would like to be informed of the results of this study, please sign the appropriate blank in Section IB on the first page of the questionnaire.

Thank you for your assistance.

Gratefully yours,

Sister Maureen Kehoe

Sister Maureen Kehoe

I. Personal Background. Please supply the following information. This part will serve the double purpose of providing information

A) on the number and types of libraries served by CLA Midwest members and

B) of providing an address file for those who desire copies of the results of this study. This form will be detached from your answer sheets and kept separately.

A. Name of Library ______________________________

1. Address of Library ______________________________
   City,
   State, Zip Code ______________________________

2. Your position in the Library ______________________________

3. Type of Library (please circle one letter): a b c d e unknown
   - a. College/Academic Library 17
   - b. Secondary School Library 16
   - c. Elementary School Library 15
   - d. Public Library 4
   - e. Specialized Library (please specify): ______________ 7
   - f. Unknown see ch. VII 1

B. (For those who desire a copy of the results, please sign your name here):

____

(PLEASE CONTINUE ON PAGE 2)

II. Documents by the American Library Association (the full texts of these Documents are in Intellectual Freedom Manual by the American Library Association; it is often available in public libraries).

For each item below, please check (/) the most appropriate response. If your choice is "Other," please comment; if you need more space, please use the back side of the paper.

* Comments for "Other" are incorporated into Cahpter VII.

A. Are you familiar with the following Documents adopted by the American Library Association?

	Yes	No	Other(please specify)	Blank
1. Freedom to Read (1953) (revised 1972)	39	17	3	1
2. Library Bill of Rights (1939) (revised 1967)	46	11	2	1
3. School Library Bill of Rights (1955) (revised 1969)	39	18	1	2

B. Do you agree wilth all three Documents above that libraries should provide materials with information on all sides of controversial issues?

	Agree	Disagree	Other(please specify)	
1. For political issues?	51	4	1	4
2. For religious issues?	46	7	3	4
3. For social issues?	48	5	3	4

C. Would you agree generally with Article 2 of the Library Bill of Rights: "No library material should be proscribed or removed from libraries because of partisan or doctrinal disapproval?"

Agree	Disagree	Other(please specify)	
37	14	7	2

1. When the above is challenged, do you think that ethnic groups should have the right to cause otherwise worthwhile media or literature to be removed due to "stereotyped characters?"

Agree	Disagree	Other(please specify)	
9	42	8	1

2. Do you think that religious groups should have the right to cause to be removed from libraries those materials which have their doctrinal disapproval?

Agree	Disagree	Other(please specify)	
11	41	6	2

(PLEASE CONTINUE ON PAGE 3)

D. Circle the number of the following statement which most reflects your point of view:

1. The original (1953) Freedom to Read statement on censorship of obscene matter was as follows:

    The present laws dealing with obscenity should be vigorously enforced. Beyond that, there is no place in our society for extra-legal efforts to coerce the taste of others, to confine adults to the reading matter deemed suitable for adolescents, or to inhibit the efforts of writers to achieve artistic expression.

2. In the 1972 revision of Freedom to Read, the first sentence in the quote above was deleted, as were the first two words in the second sentence, so now it states:

    There is no place in our society for extra-legal efforts to coerce the taste of others, to confine adults to the reading matter deemed suitable for adolescents, or to inhibit the efforts of writers to achieve artistic expression.

3. Other (please specify):

PLEASE CIRCLE YOUR RESPONSE TO "D" ABOVE:

1,	2,	3.	Blank
21	30	6	3

E. Do you agree with the United States Supreme Court's recent (1973) criteria for defining a work obscene:

1. The average person applying contemporary community standards' would find that the work, taken as a whole, appeals to the prurient (lustful) interest in sex;
2. the work depicts or describes, in a patently offensive way, sexual conduct specifically defined by the applicable state law; and
3. the work, taken as a whole, lacks serious literary, artistic, political or scientific value.

Agree	Disagree	Other(please specify)	Blank
33	15	6	6

F. Have you ever previously read, or heard, the following statement as the norm for determining an object obscene?

The work, taken as a whole, lacks socially redeeming qualities.

Agree	Disagree	~~Yes~~	~~No~~	Other(please specify)	
14	11	14	16	2	3

III. ALA Membership Involvement. Do you agree that all American Library Association members should have some voice in approving ALA policies before their final adoption?

Agree	Disagree	Other(please specify)	
51	4	3	2

(PLEASE CONTINUE ON PAGE 4)

IV. Practical Applications: Censorship and Intellectual Freedom. Please answer the following by marking the appropriate responses.

	Yes	No	Other (please specify)	Blank
A. Do you have a book selection policy?	41	11	7	1

1. (If YES above, check one) Is it:

   a. Written 17

   b. Unwritten, but understood 24

2. If you have a written policy, who wrote it?

   a. One person 6

   b. More than one person 11

3. If it was one person, who was the author?

   a. A librarian 6

   b. An administrator (other than a librarian) 0

   c. Other (please specify) 0

4. If it was a team effort, which of the following were included?

   a. A librarian 11

   b. An administrator (other than a librarian) 8

   c. Other adults (peers, parents) 5

   d. Youth 1

   e. Other (please specify) 2

B. Do you have an ongoing book selection committee?

Yes	No	Other (please specify)	Blank
8	43	2	7

C. Do you have a complaint policy for media which patrons desire to have removed from the shelves?

Yes	No	Other (please specify)	Blank
14	36	4	6

THANK YOU.

Appendix C. Tabular Results of Questionnaire Survey.

Table I. Personal Background of Respondents.

Table II A. Knowledge of Three ALA Documents.

Table II B. Information on Controversial Issues.

Table II C. Removal of Challenged Materials.

Tables II D, E, F. Attitudes toward Definition of Obscenity.

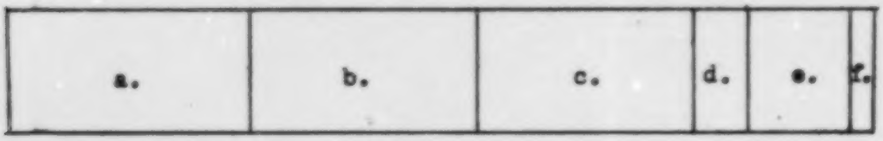
Table III. Membership Involvement in ALA.

Table IV. Practical Policies for Assuring Intellectual Freedom.

I. Personal Background of Respondents.

Type of Library:

a. College/Academic Library = 28.3%
b. Secondary School Library = 26.7%
c. Elementary School Library = 25 %
d. Public Library = 6.7%
e. Specialised Library = 11.7%
  i. Consultant = 1 person
  ii. School of Nursing Library = 1 person
  iii. Abbey and Seminary = 3 persons
  iv. Convent Library = 1 person
  v. Prison Library = 1 person
f. Unknown = 1.7%

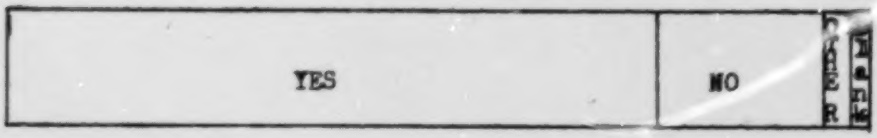


II A. Are you familiar with the following Documents adopted by the American Library Association:

1. Freedom to Read (1953, rev. 1972)?

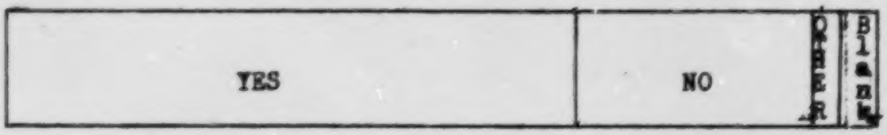
YES = 65%
NO = 28.3%
OTHER = 5%
Blank = 1.7%

2. Library Bill of Rights (1939, rev. 1967)?



YES = 76.7%
NO = 18.3%
OTHER = 3.3%
Blank = 1.7%

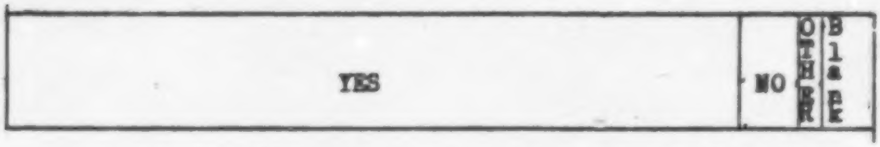
3. School Library Bill of Rights (1955, rev. 1969)?



YES = 65%
NO = 30%
OTHER = 1.7%
Blank = 3.3%

II B. Do you agree with the ALA Documents mentioned in Question II A that libraries should provide materials with information on all sides of controversial issues?

1. For political issues?



YES = 85%
NO = 6.7%
OTHER = 1.7%
Blank = 6.7%

2. For religious issues?

YES = 76.7%
NO = 11.7%
OTHER = 5%
Blank = 6.7%

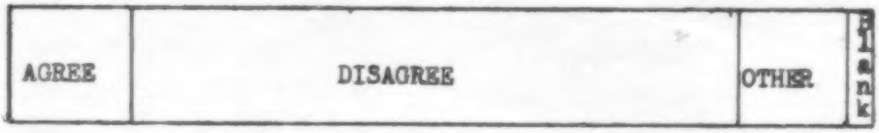
3. For social issues?

YES = 80%
NO = 8%
OTHER = 5%
Blank = 6.7%

II C. Would you agree generally with Article 2 of the Library Bill of Rights: "No library material should be proscribed or removed from libraries because of partisan or doctrinal disapproval?"

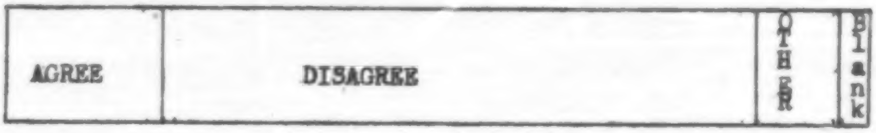
AGREE = 61.6%
DISAGREE = 23.3%
OTHER = 11.6%
Blank = 3.3%

C 1. When the above is challenged, do you think that ethnic groups should have the right to cause otherwise worthwhile media or literature to be removed due to "stereotyped characters?"



AGREE = 15%
DISAGREE = 70%
OTHER = 13.3%
Blank = 1.7%

C 2. Do you think that religious groups should have the right to cause to be removed from libraries those materials which have their doctrinal disapproval?



AGREE = 18.3%
DISAGREE = 68.3%
OTHER = 10%
Blank = 3.3%

II D. Circle the number of the following statement which most reflects your point of view:

1. The original (1953) Freedom to Read statement on censorship of obscene matter was as follows:
   The present laws dealing with obscenity should be vigorously enforced. Beyond that, there is no place in our society for extra-legal efforts to coerce the taste of others, to confine adults to the reading matter deemed suitable for adolescents, or to inhibit the efforts of writers to achieve artistic expression.

2. In the 1972 revision of Freedom to Read, the first sentence in the quote above was deleted, as were the first two words in the second sentence, so now it states:
   There is no place in our society for extra-legal efforts to coerce the taste of others, to confine adults to the reading matter deemed suitable for adolescents, or to inhibit the efforts of writers to achieve artistic expression.

3. Other (please specify):

THE RESPONSE TO "D" ABOVE:

1.	2.	3.	Blank

1.(above) = 35%
2.(above) = 50%
3.(above) = 10%
Blank = 5%

E. Do you agree with the United States Supreme Court's recent (1973) criteria for defining a work obscene:

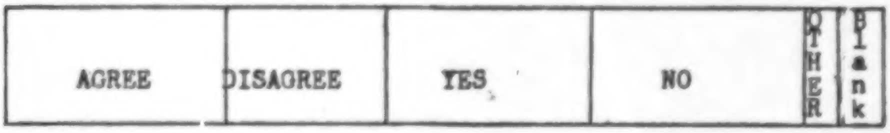
1. The average person applying contemporary community standards' would find that the work, taken as a whole, appeals to the prurient (lustful) interest in sex;
2. the work depicts or describes, in a patently offensive way, sexual conduct specifically defined by the applicable state law; and
3. the work taken as a whole, lacks serious literary, artistic, political or scientific value.

AGREE	DISAGREE	OTHER	Blank

AGREE = 55%
DISAGREE = 25%
OTHER = 10%
Blank = 10%

II F. Have you ever previously read, or heard, the following statement as the norm for determining an object obscene:

The work, taken as a whole, lacks socially redeeming qualities?



AGREE = 23.3% YES = 23.3% OTHER = 3.3%
DISAGREE - 18.3% NO = 26.7% Blank = 5 %

III. ALA Membership Involvement. Do you agree that all American Library Association members should have some voice in approving ALA policies before their final adoption?

AGREE 85% OTHER = 5%
DISAGREE = 6.7% Blank = 3.3%

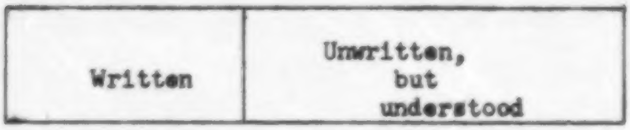
IV. Practical Applications: Censorship and Intellectual Freedom.

A. Do you have a book selection policy?

YES = 68.3%

NO = 18.3%
OTHER = 11.7%
Blank = 1.7%

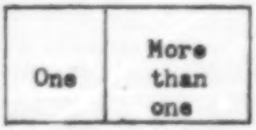
1. Is it: (a) Written or (b) Unwritten, but understood?



Written = 28.3%

Unwritten, but understood = 40%

2. If you have a written policy, who wrote it:
(a) One person or (b) More than one person ?



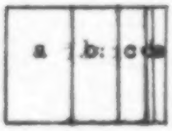
(a) One person = 10%

(b) More than one person = 18.3%

3. If it was one person, who was the author:

(a) A librarian = 10%
(b) An administrator (other than a librarian) = none
(c) Other (please specify) = none

4. If it was a team effort, which of the following were included as authors:



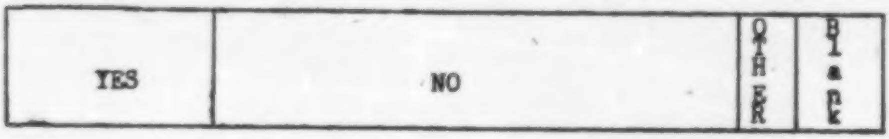
(a) A librarian = 7.5%
(b) An administrator (other than a librarian) = 5.4%
(c) Other adults (peers, parents) = 3.4%
(d) Youth = .7%
(e) Other? = 1.4%

B. Do you have an ongoing book selection committee?

YES = 13.3%
NO = 71.6%

OTHER = 3.3%
Blank = 11.7%

C. Do you have a complaint policy for media which patrons desire to have removed from the shelves?



YES = 23.3%
NO = 60 %

OTHER = 6.7%
Blank = 10 %